the SHADOW

INFORMATION IS STRENGTH • KNOWLEDGE IS POWER

HOW THE CONTRAS INVADED THE UNITED STATES

By Dennis Bernstein and Robert Knight
(Special To The SHADOW)

Wanda Palacio watched the Hercules cargo plane roll to a stop on the tarmac of Baranquilla International Airport, located in the Andean foothills just off the azure Atlantic waters of Columbia's northern coast. According to Palacio, the aircraft bore the markings of Southern Air Transport, a private airline once associated with retired Vietnam-era Air Force general Richard Secord, who would later purchase a security fence for the home of Contra point man Lt. Col. Oliver North.

Palacio was in Baranquilla that day to arrange a cocaine deal with her host, Jorge Luis Ochoa, at the time Columbia's most ambitious drug lord. As she watched two men in green uniforms remove two green military trunks out of the plane and on to a truck, her host explained his operation: "Ochoa told me that the plane was a CIA plane and that he was exchanging guns for drugs." The crew, he said, were CIA agents, and "these shipments came each Thursday from the CIA, landing at dusk. Sometimes they brought guns, sometimes they took U.S. products such as washing machines, gourmet food, fancy furniture or other items for the traffickers which they could not get in Colombia. Each time, Ochoa said, they took back drugs."

In her 1987 sworn testimony before Senator John Kerry's Senate Subcommittee on Narcotics and International Terrorism, Palacio acknowledged that she could not confirm the operation was being conducted by the CIA. But, she added, "Obviously, what I saw raised many questions about the source of the U.S. weapons which I know Ochoa has obtained."

Wars Go Better With Coke

That was not the only time such an exchange was witnessed by the Puerto Rican born Palacio, a former airline employee who married an upper-class Colombian whose social circle included "people deeply involved in the drug trade." Concerned for the safety of her daughter, she eventually volunteered to work with the FBI because, she said, "I was angry about what drugs were doing to the people I knew and to the United States Government itself."

As an FBI operative, Palacio would later realize the extent of the damage done to the United States Government by the guns-for-drugs exchanges that permeated the hemisphere during the early-to-mid-1980s. "To my great regret," she testified, "the Bureau has told me that some of the people I identified as being involved in drug smuggling are present or past agents of the Central Intelligence Agency."

And, according to Palacio's deposition, it was not only the CIA that was involved with drug smugglers. Palacio told Senator Kerry that she spoke to the FBI about many individuals with the U.S. government that were involved in illegal drug operations. "We have extensively discussed drug-related corruption in the United States, including a regional director of U.S. customs, a federal judge, air traffic controllers in the FAA, a regional director of immigration, and other government officials."

Wanda Palacio is only one of scores of people to come forward with first-hand evidence of officially sanctioned

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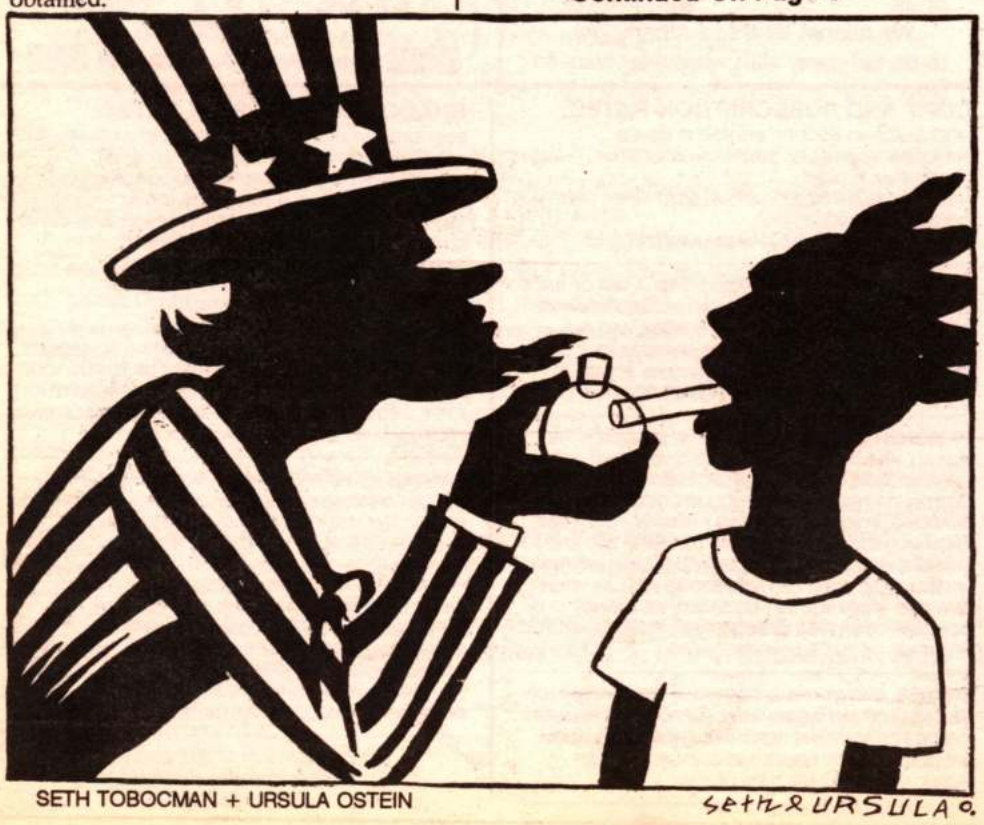
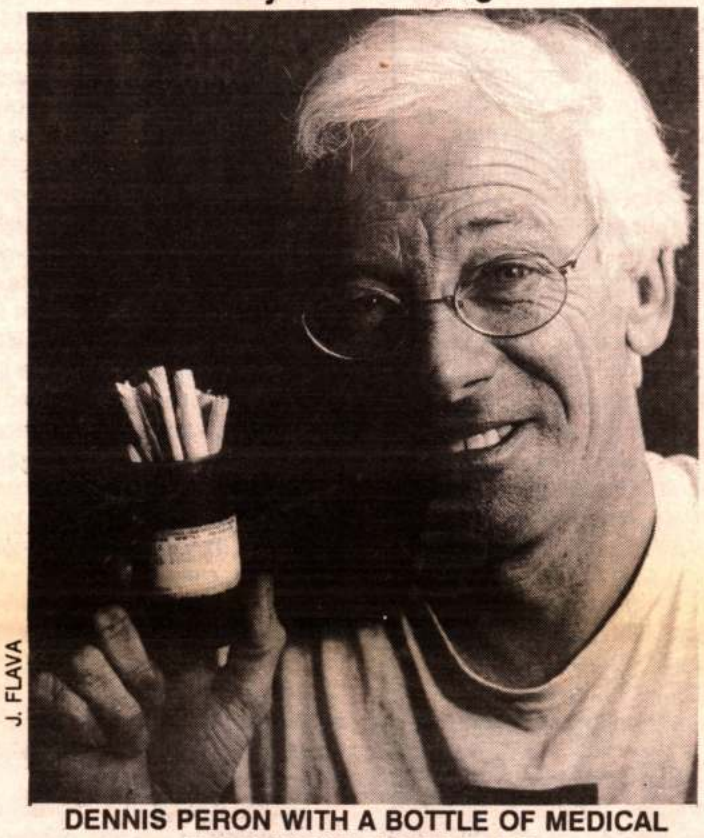


SETH TOBOCMAN + URSULA OSTEIN

THE CALIFORNIA MEDICAL MARIJUANA REBELLION:

Dennis Peron, Dan Lungren and the Battle for Proposition 215

By Bill Weinberg



J. FLAVA

DENNIS PERON WITH A BOTTLE OF MEDICAL "MARIJUANA CIGARETTES"

The battle for Proposition 215, California's groundbreaking medical marijuana initiative has been won. Or perhaps only the first round has been won. Approved by California's voters, it now faces a struggle in the courts. The forces of intolerance represented by the federal Drug War apparatus and California Attorney General Dan Lungren are not going to take 215 lying down. The grassroots rebellion for medical marijuana faces a struggle to defend its hard-won turf. SHADOW reporter Bill Weinberg takes an in-depth look.

California is a state of schizophrenic political extremes. It has some of the nation's most fiercely conservative counties--like notorious Orange--as well as the nation's most wide-open city--San Francisco, Babylon on the Bay. The struggle for the medical marijuana initiative--Proposition 215--was a struggle of Northern California versus Southern California, urban versus heartland, freaks ("druggies" and "faggots") versus the majority culture. These opposing forces are represented by the two men pitted against each other in the battle for 215--California Attorney General Dan Lungren and San Francisco medical marijuana crusader Dennis Peron.

Dennis Peron was a part of the hippie wave that arrived in San Francisco three decades ago. The Bronx boy arrived in 1970 straight from the trenches of Vietnam, where he had decided, in the face of death, to come out of the closet, as a gay man and as a marijuana afficionado. San Francisco was a cultural haven, even by the standards of the hedonistic 1970s. Peron settled in the gay Castro district, opened the now-legendary Big Top marijuana supermarket, and got close to Supervisor Harvey Milk and Mayor George Moscone, champions of San Francisco as an Open City. The dream came tumbling down in 1978, when Milk and Moscone were gunned down by Twinkie-crazed Supervisor (and ex-cop) Dan White. But Peron desperately kept the dream alive in the age of Reagan and AIDS, when real estate and high finance booms transformed San Francisco. He watched his own lover die of the disease which ravaged the gay community--and his strategies transformed from a defense of '70s-style hedonism to a struggle for survival in the medical emergency of the '90s. His showmanship and charisma made him a focus--and a target. The most powerful man to target him is California Attorney General Dan Lungren--described by the *Sacramento News & Review* as "the single most dangerous adversary one could go up against in the Golden State."

Bay Area Municipal Revolt

The August 4 raid (see SHADOW #39) was Dan Lungren's first move against Dennis Peron's San Francisco Cannabis Buyers Club--which also served as campaign headquarters for Proposition 215, the statewide referendum on legalizing medical marijuana.

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EDITORIAL

LANDLORD GREED: IT'S NOT WHAT WE NEED!

By A. Kronstadt

On December 5, New York State Senator Joseph Bruno, leader of the State Senate's Republican majority, announced his threat to single-handedly block renewal of New York State's rent regulations--i.e., the laws that have kept rents affordable for millions of state residents, particularly in New York City, when they come up for renewal this June. Bruno told the Rent Stabilization Association (the Orwellian name of a landlord interest group) that he would use his influence in the state Senate to prevent a vote extending the fifty-year-old laws for another two years.

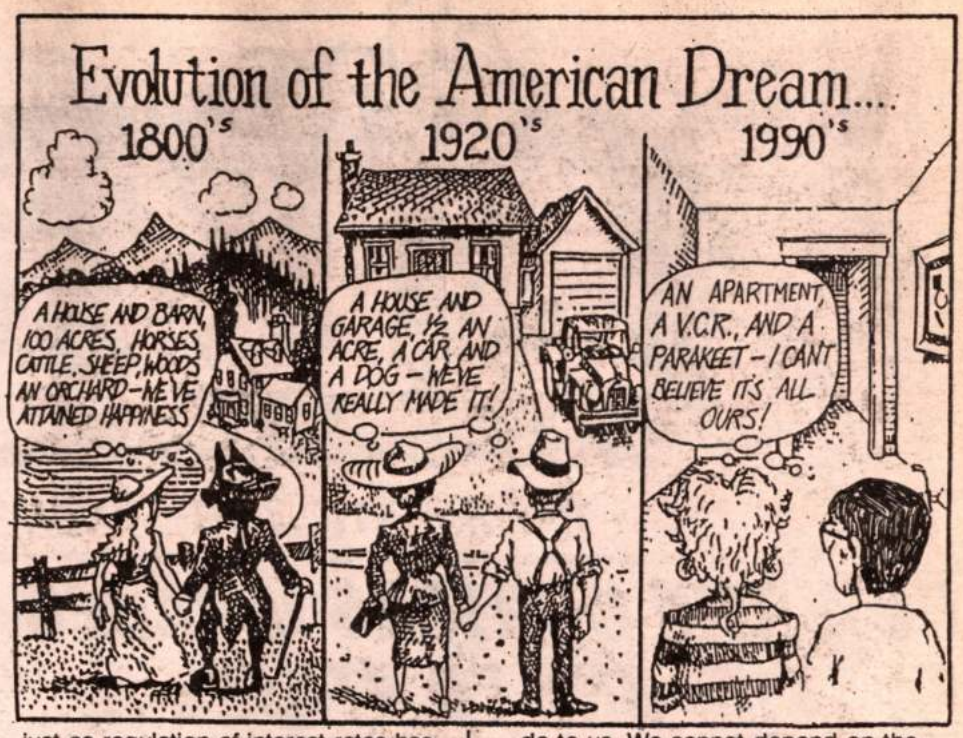
Because only 60,000 of the approximately one million New York State residents who benefit from legal limits on their rent live outside New York City, Bruno, who comes from far upstate Rensselaer County, has no right to talk about this life-and-death issue. Joe Bruno is a dead-moose-on-the-wall upstate Republican; his constituents are white people who fled New York City, or jail guards paid to lock up the sons of NYC. Joseph Bruno and his legislative cohorts represent an alien force that hates us and would like to see us all rot in hell. Kill all the people and sell all the property!--that is their motto. Getting rid of rent regulations, like getting rid of welfare, is a good way to take out the trash. Furthermore, the pols are getting paid to take out the trash: three major landlord groups have made $700,000 in campaign contributions to New York State legislators; the politicians have received countless more from individual landlords.

Rent regulations, often taking the form of rent freezes, have existed on and off in New York City since World War I and continuously since 1947. From that year until the late 1960s, virtually all buildings in which six or more apartments were rented to the public were covered by rent control. The old version of the law amounted to a near moratorium on rent increases. The 1950s are often pointed to (particularly by conservatives) as golden years for New York City, with high employment and a low crime rate. However, underlying this era of stability and traditional values was a strict system that preserved communities by preventing sudden hikes in rent. Rent regulation was greatly weakened in 1969 when Rockefeller Republicans in the legislature decreed a two-tiered system in which tenants already occupying their apartments would continue under rent control--whereas those moving into their apartments after 1969 would be subject to a system called "rent stabilization," which would give landlords regular but still limited increases. Under rent stabilization, the average rent on a New York City apartment has approximately tripled over the past twenty years, whereas the average rent on a decontrolled apartment has approximately sextupled.

Also over the past twenty years, millions of apartments have fallen through the cracks in the rent regulations and have become "decontrolled." Buildings have been converted into cooperatives, in which the owner of an apartment is entitled to rent it out for as much as the market will bear. Apartments and whole buildings have been renovated by landlords, who have then been permitted to raise the rents to the market level under a something called "Major Capital Improvements." Old residency hotels have been converted to cooperatives or replaced by fancy apartment buildings exempt from rent regulations--in other words, a substantial number of apartments are now bringing in mega-profits for property owners. Middle class residents of Manhattan pay $1,000 a month or more for a tiny studio and $3,000 or more for anything big enough to house a family. The cheapest apartments on the fringes of Queens seldom rent for less than half this much. When you consider that a minimum wage job in New York City pays $5.25 per hour, or $210 per 40-hour week, it is easy to see how a lot of people would not be able to live where they live, or anywhere else in the city, without rent regulations.

Landlord advocates speak of rent regulation as if it were some horrendous violation of their rights under the free enterprise system, but in fact they are no more so than regulations on interest. Limits on rent, like limits on interest, are measures intended to contain the human costs of monopoly. When a small number of people control a commodity that is in limited supply and which a great many people need, this minority can do great damage to society. Banks are in such a position because they control vast sums of money that people must borrow from them to keep their businesses going. Landlords are also in such a position because they control space that people need to live and produce.

Human beings in a civilized society need money to live and produce, but perhaps more fundamentally they need a place in which to do it. In a city like New York, space is a particularly scarce commodity and vast stretches of land and multitudes of buildings are owned by limited numbers of people. In the absence of rent regulations, these few people will take advantage of their monopolies to drive the price of space up. Because there are many people competing for space in New York City but few people who own it, there is little competition among the owners to force them to keep their prices down. Therefore, in a place like New York, rent regulation is the only way to maintain stable communities--


Evolution of the American Dream....
1800's
1920's
1990's
A HOUSE AND BARN, 100 ACRES, HORSES, CATTLE, SHEEP, WOODS AN ORCHARD - WE'VE ATTAINED HAPPINESS
A HOUSE AND GARAGE, ½ AN ACRE, A CAR AND A DOG - WE'VE REALLY MADE IT!
AN APARTMENT, A V.C.R., AND A PARAKEET - I CAN'T BELIEVE IT'S ALL OURS!

just as regulation of interest rates has been the only way to maintain a stable economy.

There is a largely unchallenged myth in NYC, believed by many tenants who pay high rents, that they are paying $1000 a month for their little apartments *because* their next-door neighbor pays only $400. Where is the proof for this? The landlords don't want to get rid of rent regulations because they want to make things fair, but because they want to make themselves rich. If rent regulations are abolished, everyone will be paying a thousand dollars a month! A common myth that we hear over and over again is that building owners "have to charge" newcomers to New York exorbitant rents *because* the old tenants are getting a cheap ride under the rent laws. This is probably the most widely accepted unproven assumption in New York, and rent-poor citizens looking for a scapegoat are too often ready to accept it. But think for a moment: with the worldwide demand for space in Manhattan, how can anyone say that landlords will not raise *everybody's* rent through the skylight if the rent regulations are not retained? Is there any tenant who believes that it is unfair for me to pay $400 per month for the same apartment that he or she is paying $1200 per month for, but that it will somehow be fair when we are both paying $1200 per month?

The tenants of New York, the majority, are now in the same situation that Lower East Side squatters faced alone just weeks ago. The big daddies of government are lined up against the majority now. Having tested their lawyers and tanks against the squatters, they are now training them on the rest of us.

We cannot let these Albany bastards get away with what they want to do to us. We cannot depend on the Democrats. We cannot depend on Sheldon Silver, lily-livered Speaker of the State Assembly and Assemblyman from part of the Lower East Side. Silver was already waffling just hours after Bruno's declaration of war on rent regulations. He told the *New York Times* on December 6: "I think that in the course of the next six months, there's a lot of give and take." Silver is already giving, and Bruno is already taking--giving and taking our homes away from us, that is. State Senator Martin Connor, the Senate Democratic leader and State Senator from a big gerry-mandered swath of the Lower East Side, sent his "What Lies Ahead for New York" letter to his constituents this xmas without a *word* about preserving the rent regulations. These politicians must be swept into the garbage can of history by a popular insurgency. An intransigent people must *ride Sheldon Silver, Martin Connor,* and city councilman/landlord puppet Antonio Pagán out to the East River on a rail. We must tar and feather them, roll them into a tight sticky ball with the landlord scum who make our lives miserable, and *hang them* by their heels like Mussolini! Let's fight to keep rent regulations because they keep New York what it has always been--our home!

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JACK DAWKINS

KIDS STICK IT TO DISNEY

By Jack Dawkins

Loudly expressing their anger over the Disney Corporation's use of underpaid sweat shops and child labor in other countries, about 150 people, many of them children, braved cold wind and rain to demonstrate in front of Disney's crowded store at Fifth Avenue and 55th Street.

The demo capped "Disney Week," a week of demonstrations, teach-ins and school activities focusing on the low wages and miserable working conditions forced upon those who manufacture Disney products.

Cops quickly set up barricades to pen in demonstrators on 55th Street, where they would not be seen by most of the holiday shoppers. But several wily protestors and seasoned SHADOW readers joined this reporter in ignoring the cops and directly confronted Disney shoppers as they entered the store. This greatly irritated the beefy Disney security guards who glared at us, clenching their ham-like fists.

Despite the occasional selfish response like, "I can shop where I want to shop," most people were genuinely shocked when told of the horrific conditions under which Disney laborers make the cute dolls, stuffed animals and children's clothing decorated with Disney cartoon characters.

Workers Get 28 Cents An Hour

"The most fundamental human and workers' rights are being violated on a daily basis," said Charles Kernighan of the National Labor Committee, who organized the demonstration, and who has visited many Disney factories in Haiti. "No one can survive on 28 cents an hour -- even in Haiti, which is not a cheap place to live. Supervisors put enormous, constant pressure on workers to go faster, denying them the use of a bathroom. They yell, scream, threaten and curse the workers. Sexual harassment is common. If the company even suspected that a worker was interested in organizing, they would be thrown out of the factory immediately. Workers are living in incredible poverty and misery."

In Haiti, workers who sew children's clothing that carry the images of the Lion King, the Hunchback of Notre Dame, Pocahontas and Mickey Mouse are paid as little as 28 cents an hour. They often work in hot, poorly-ventilated, rat-infested factories. According to WBAI radio reporter David Sears, 28 cents an hour is less than half of what it takes to provide a subsistence income in Haiti. In Burma, where the military dictatorship is the major owner of the factories, wages are even lower.

Disney CEO Gets $97,000 An Hour

Meanwhile, Disney Chief Executive Officer Michael Eisner is paid about $97,000 an hour to oversee the Disney Corporation's operations. This month, when talent agent Michael Ovitz left his executive position at Disney, he received $90 million in severance pay.

"It's really sick," said Ivan Robertson of Manhattan, who was holding a sign which read: "DISNEY HAVE A CONSCIENCE." "When you consider the vast profits they're making, you'd think they would pay people a living wage."

Some demonstrators wore costumes of smiling Disney characters and handed out what appeared to be gift-wrapped advertising, but were actually leaflets detailing the truth about Disney's greed. There was a short march up Fifth Avenue, some speeches, and children waved their signs at shoppers and passing cars.

"I used to love my Pocahontas and Lion King dolls, but I can't play with them anymore until Disney treats their workers better and pays them more money," said Leah Sapin, a nine year old from Brooklyn who attended the demo with several of her friends.

Six thousand letters from people objecting to Disney's sweat shop practices have been received by Disney. According to WBAI, a fourth grade class in Brooklyn wrote to several corporations, including Disney, asking what they intend to do about sweat shops and child labor in other countries. All of the companies responded, except Disney.

The SHADOW urges readers to boycott and encourage others to boycott Disney products and to write Disney to demand that they clean up their act. Letters should be addressed to:

Michael Eisner, CEO
Walt Disney Company
500 South Buena Vista Street
Burbank, CA 91522

NEW YEAR DAWNS FOR MUMIA ABU-JAMAL

By A. Kronstadt

Dominating the news in Mumia abu-Jamal's legal battle against the death penalty this year is the fantastic story of Veronica Jones, a witness who had testified for the prosecution at Mumia's original trial. Mumia, a Black journalist and revolutionary, has been on death row since being convicted in the December 9, 1981 shooting death of a Philadelphia police officer.

Jones, who worked as a prostitute in Philadelphia's Center City area, was near the intersection where Officer Daniel Faulkner was gunned down. On that night, she told police investigators that she had seen two men run from the scene of the shooting, an observation that was confirmed by several other persons who made statements to the police that night. Mumia was not able to run anywhere--he had been found lying critically wounded at the scene, less than ten feet away from the police officer whom he was later accused of shooting to death. At Mumia's trial, however, Jones denied seeing anyone run from where Faulkner was shot. (See SHADOWs #37 and #38 for more--Ed.)

Fourteen years after Mumia's conviction, defense investigators working to get Mumia a new trial located Veronica Jones, now living in New Jersey. Jones told them that she had lied at Mumia's trial, that her first statement to the cops on the night of the murder had been accurate. Between the shooting and the trial, Jones explained, she was arrested for armed robbery--charged with having two loaded pistols in her waistband. Sitting in jail and facing a potential ten years and loss of her three infant daughters, she was approached by two plainclothes detectives who offered her a deal in exchange for not helping Mumia's case. After she gave the testimony the cops wanted, Jones was given probation on the felony charges. Judge Albert Sabo, who had tolerated numerous irregularities during Mumia's trial and who sentenced Mumia to death, refused to hold a hearing on Jones' new testimony--until the Pennsylvania Supreme Court forced him to do so on October 10, 1996. On the stand, Jones said: "They told me I'd have to do 10 years away from my children if I said what I saw...I couldn't leave my babies."

After Jones' retraction, the police were quick to retract the favor that they had done for her in 1982. Citing an almost two-year old bench warrant against Jones stemming from a $250 bad check case, cops took the thirty-five year old woman off the stand in handcuffs. Hours later, Philadelphia police announced that they were arresting Jones on a prostitution charge dating back to 1982. As she was being led out of the courtroom by the cops, Jones told a bystander--"You think that's going to make me change my story? It's not!"

A. KRONSTADT

HUNDREDS RALLIED FOR MUMIA ON WALL STREET ON DECEMBER 9

CLASS ACTION SUIT AGAINST IRS VIA THE INTERNET

(From Neo-Tech Worldwide)

Have you, a family member, a friend or loved one ever been defrauded, looted, hurt, injured, brutalized, or destroyed by the Internal revenue Service (IRS)? Did no one help you, sympathize with you, or even listen to you, even though you and your family were criminally violated? Do you want legal justice? Do you want to alleviate the sufferings and fears caused by the IRS? You can now safely participate in an inspiring class-action-type lawsuit against the IRS, its armed agents of force, its paid informants, and those politicians responsible for illegal tax laws, fraudulent assessments, regulations, penalties, liens, levies, seizures, and garnishments. These class-action lawsuits will be based on cruel-and-unusual punishment in violation of the 8th Amendment of the Bill of Rights in the United States Constitution. Ending those IRS cruelties is the route to everyone's prosperity and happiness.

For information, review the IRS-class-action home page at its cyberspace address: http://www.neo-tech.com/irs-class-action.com. In addition, join the discussions on the Eliminate-the IRS Newsgroup at: alt.irs.class-action.

You can add to the expanding legal arsenal of legal evidence simply by revealing how the IRS has harmed you or others, by E-mailing: sue@irs.class-action.com. Also, read the latest IRS abuse reports at: http://www.neo-tech.com/irs-class-action.

REPUBLICANS PREPARE ASSAULT ON RENT LAWS!!

By Steven Wishnia

With New York State's rent laws due to expire in six months, Republicans in Albany are preparing to unleash an arsenal of proposals to weaken tenant protections.

"The people are not being benefited under the current law. We have to change it," says Bob Farley, counsel to the State Senate Housing Committee. He argues that eliminating rent regulations would actually bring lower rents and says "it would be irresponsible" for the state not to consider letting them expire.

Rent regulations--both rent control and rent stabilization--affecting over 2 million New Yorkers, expire June 15. If they are not renewed, rent-controlled tenants--about 100,000 households, mainly elderly--could either be arbitrarily evicted or face monster rent increases at the end of that month. Tenants in the city's million rent-stabilized apartments would face the same fate at the end of their leases.

But renewal must be passed by both houses of the state Legislature, including the Republican-dominated State Senate, and signed by Governor George Pataki. The Rent Stabilization Association, city landlords' main lobbying group, has given thousands of dollars to key politicians. On Dec. 5, State Senate Majority Leader Joseph Bruno (R-Rensselaer), a prime recipient of RSA largesse, promised landlords assembled for the group's annual meeting that he would "liberate the city" and abolish rent controls.

Tenant activists are focusing on the Legislature, where Assembly Housing Committee chair Vito Lopez (D-Brooklyn) says the battle will be "the financial strength of landlord interests versus the political mobilization of tenants." "The more tenants are organized, the better it is," says Ben Powell, housing issues staffer for State Sen. Catherine Abate (D-Manhattan).

Despite Pataki's past opposition to rent regulations, some observers say the political consequences of completely eliminating them would be too much for him. "It's not politically possible," says Powell. "It would be too cruel, impractical." The specter of 82-year-old widows being tossed out in the snow when their rent gets jacked up from $250 to $1,100 might spook the governor's chances of getting re-elected in 1998.

But even if the Republicans in Albany accede to renewing the rent laws, there are a host of changes they could push through to eviscerate them. These include vacancy decontrol, in which apartments become deregulated when the tenant moves out; decontrolling buildings with 20 or fewer apartments; lowering the threshold for high-rent decontrol from $2,000 a month to $1,000; eliminating rent controls on apartments occupied by tenants above a certain income; eliminating rent controls for all except the elderly; and requiring rent-striking tenants to deposit their rent with the courts.

Farley, counsel to the Senate committee chaired by Putnam County Republican Vincent Leibell, says repealing the laws completely wouldn't be a bad idea. Deregulation lowered prices in the airline industry, he says. If rent controls were eliminated, he contends, it would spark a building boom and the increased housing supply would bring lower rents.

How this would work in the real world is hard to understand. Land prices, mortgage rates, and construction costs--the biggest expenses in building new housing--wouldn't go down if rent regulations were eliminated. "How do you know they wouldn't?" Farley responds. And new housing in New York City is already exempt from rent controls unless the owner takes a tax break. He answers that developers are scared off by the possibility that their buildings might come under regulation someday.

Farley adds that he would "absolutely" endorse a means test for upper-middle-class and rich tenants. "We shouldn't have subsidized housing for millionaires," he says, adding that there

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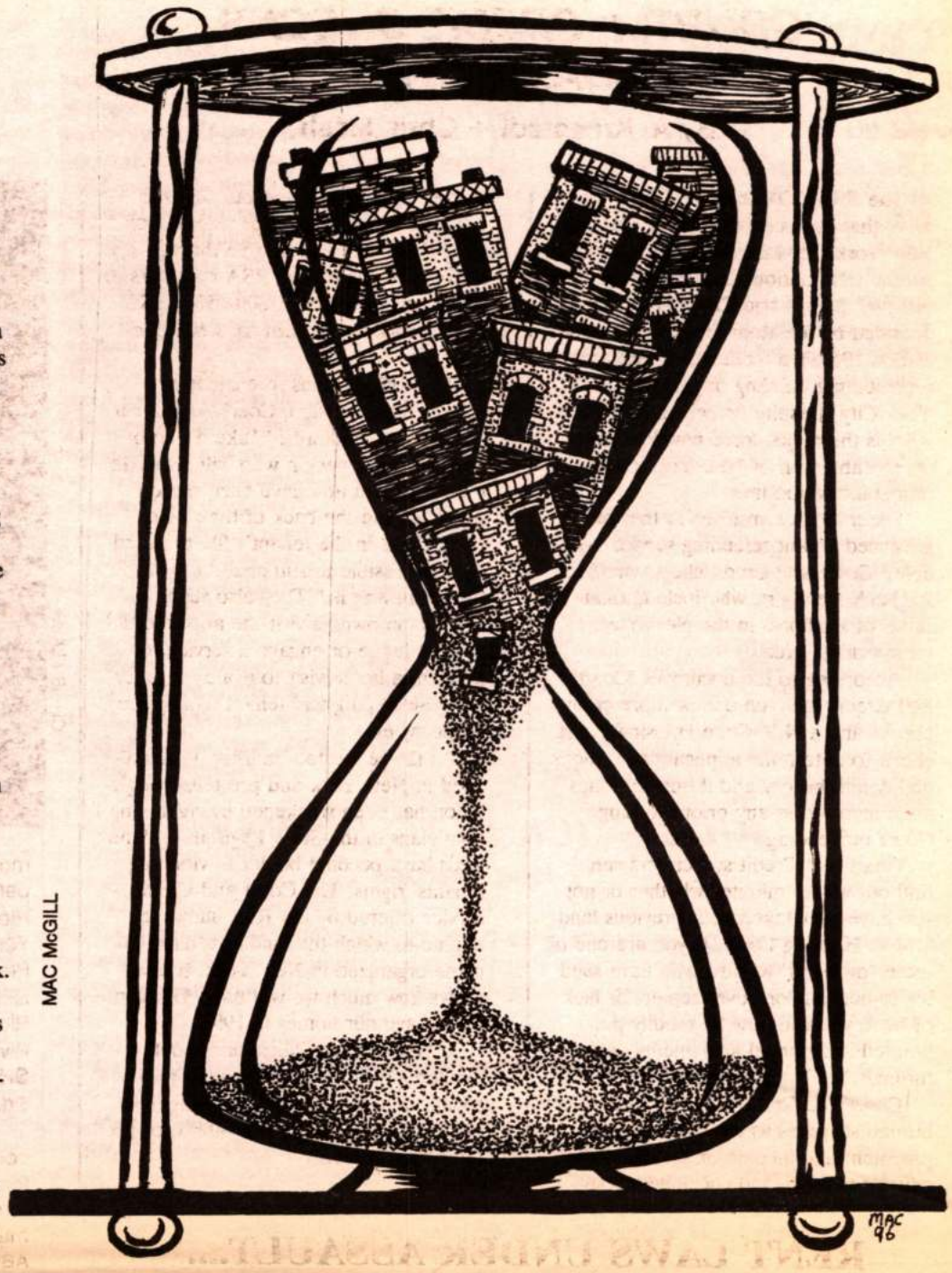

RENT STABILIZATION ASSOCIATION: WHO PAYS AND WHO BENEFITS?

By Steven Wishnia

The Rent Stabilization Association, city landlords' main lobbying group, has spent millions of dollars buying support for its battle to eliminate rent regulations.

It was one of the earliest big contributors to New York City Mayor Rudy Giuliani's re-election campaign; the Mayor has said he supports preserving rent controls, but signed a law weakening them in 1994, when the City Council deregulated high-rent apartments. State Senate Majority Leader Joseph Bruno is the biggest roadblock to renewing the laws; the RSA gave his Senate Republican Campaign Committee $174,000 in 1996. Newly-elected Washington Heights Assemblymember Adriano Espaillat got over $20,000 in RSA money for the Democratic primary last September, when he unseated an incumbent with a strong pro-tenant record. And the landlord group was the biggest single contributor to Lower East Side Councilmember Antonio Pagán's 1993 campaign.

The RSA was originally founded to oversee the city's rent-stabilization system, established in 1969. That control was shifted over to the state in 1984, when the conflict of interest between administering the system and pressuring the Legislature to abolish it became too blatantly obvious.

These days, its main base is the group of about 3,000 landlords who own 70 percent of the city's rent-stabilized apartments. (The other landlord groups, Community Housing Improvement Program and Small Property Owners of New York, are geared more to the smaller fish among the city's 25,000-odd owners of rental property.) However, the RSA finds spotlighting small landlords' complaints a good political strategy. Smaller owners are much more likely to have genuine financial problems, and an immigrant widow struggling to cover the mortgage and oil bills on a six-unit building in Woodside is a much more sympathetic figure than a multimillionaire Manhattan speculator with a 40-edifice empire.

RSA vice-chairman Richard Kalikow was once one of the Lower East Side's most notorious slumlords. *From 1985 to 1990, he owned a cluster of buildings at East 10th Street and Avenue B. He may have had fantasies of tearing them down to build a high-rise overlooking the northeast corner of Tompkins Square Park, a complement to the nearby luxurious Christodora House.*

The buildings were a target of anti-warehousing protests in the late '80s. Kalikow was trying to empty them out, driving out the rent-controlled and rent-stabilized tenants. Tenants had to endure stretches of up to two weeks without heat and hot water in the winter, and the city's Emergency Repair Program had to be called in after he failed to fix a massive water leak in the hallway at 162 Avenue B. He refused to fix the building's front door lock for months, even after tenants complained that their children were finding used needles in the hall.

Kalikow also rented the storefront at 166 Avenue B to a cocaine-whole saling phony bodega. He spent months in court trying to get rent-striking tenants evicted, while leaving a crackhouse occupying a warehoused apartment at 162 Avenue B unmolested for over a year. After giving the strikers thousands of dollars off their back rent in an out-of-court settlement, he lost the buildings to foreclosure in 1990.

"If you're looking for ethics," a Kalikow underling once told this reporter, "you'll find it in the dictionary under E."

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Met Council is a citywide tenant union.

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COURT + CREDIT CHECKS USED AGAINST TENANTS

By A. Kronstadt + Chris Flash

The SHADOW has acquired a document that has been circulating among New York City landlords offering "confidential information concerning potential tenants." "Court and Credit" is a service provided by the Rent Stabilization Association (RSA), a landlord interest group representing building owners in New York City. Despite its benign label, the RSA is the major force now lobbying for the abolition of New York City's rent stabilization laws.

Describing themselves as the "most advanced tenant screening service available," Court and Credit checks are free for RSA members, who include thousands of landlords in the New York metropolitan area.

According to the document, Court and Credit will "run one or more credit checks and a N.Y. State Housing Court check to determine applicant's payment ability and history and if applicant has been involved in any prior Housing Court proceeding."

Court and Credit subscribers can find out within minutes whether or not you have ever taken your previous landlord to Housing Court. If you are one of those "problem" tenants who have sued his or her landlord over repairs or lack of heat, you can now be readily pinpointed and denied apartments in the future.

Court and Credit can also run credit bureau searches as well as verify employment and income on potential and existing tenants, and check with your former landlords to find out whether you have been naughty or nice. All of this information is available through a telephoned request by RSA members to Court and Credit at: 1-800-651-RENT. Faxed requests are sent to: 1-800-638-8901.

As if offering this free snooping service is not enough, Court and Credit also advises landlords: "Take a photograph of each person who will reside in the apartment and have each person sign and date the back of the photo. Keep these in the tenant's file to guard against possible unauthorized tenants [from] moving in." They also suggest that "some owners visit the applicant's present home or engage a service to perform a home visit to evaluate general housekeeping and tenant damage to property, etc."

As the real estate market has tightened in New York and pro-tenant legislation has been weakened by right-wing politicians in the State Legislature, landlords have become bolder in violating tenants' rights. The Court and Credit service offered by the RSA shows the degree to which the landlords have become organized in New York. It also shows how much we will have to organize to save our homes in 1997.

If you have any questions about landlords fishing around in your personal business, call the Rent Stabilization Association at 212-214-9255, or fax them at 732-0618.

RENT LAWS UNDER ASSAULT....

are thousands of rich tenants paying artificially low rents. He disputes the most recent federal figures, a 1993 survey that found that of the more than 200,000 under-$400 rent-stabilized apartments in the city, only about 200--less than one-tenth of 1 percent--were rented by people making over $100,000 a year. "I don't want to get into a statistical war with you," he says.

He also rejects as "pejorative" the idea that vacancy decontrol and the like constitute "weakening" tenant protections: "The purpose of our committee is to ensure affordable quality housing stock."

Assemblymember Vito Lopez says the loss of rent regulations would be "a catastrophe"--and that pressuring the New York City Council to renew the local rent laws intact before they expire March 31 is a critical first step for tenants.

"If the City Council waters down rent protections, it will be very hard for us in Albany," says the Housing Committee chair. "If we go to Albany with rent regulation as it is, it's a powerful mandate. The Governor has no cover if the City Council renews rent controls."

In the political jockeying over the issue, the five Republican State Senators from New York City could tip the balance. One, Roy Goodman of Manhattan, considers preserving rent regulations intact "a priority," says staffer Rebecca Russell. The other four, Guy Velella of the Bronx, John Marchi of Staten Island, and Frank Padavan and Serphin Maltese of Queens, all come from conservative neighborhoods with fewer renters than the rest of the city and were all re-elected without Democratic opposition.

Another possibility, says Ben Powell, is that the Assembly will pass a "one-house bill" making major-capital- improvement rent increases temporary and strengthening anti-harassment laws, then use it as a negotiating tool. Rent regulations might also be part of the horse-trading likely when the Republicans try to cut welfare and fund building more prisons upstate, he says.

Unfortunately for tenants, the fate of rent regulations may come down to last-minute, closed-door negotiations among Governor Pataki, Majority Leader Bruno, and Assembly Speaker Sheldon Silver. Silver told the *New York Times* in November that he was willing to be flexible on the issue--a word many tenants could interpret as code for "sell-out." "I'm not knee-jerk on anything," the Speaker said.

Neither Bruno nor Silver returned phone calls from this reporter.

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HPD EFFORT TO EVICT ABC NO RIO GRINDS ON

By Steven Englander and Chris Flash

CHRIS FLASH

Despite a reprieve of several months, the arts center, gallery and performance space known as ABC No Rio must still defend itself from New York City's Department of Housing Preservation and Development (HPD). HPD has been relentlessly seeking No Rio's eviction from its home at 156 Rivington Street since June 1995. **(See SHADOWs # 36, 37 + 39 for more--Ed.)**

Most recently, at an October 17 court hearing, HPD submitted a Motion for Summary Judgement, an attempt to deny ABC No Rio a hearing on the matter of the eviction. In response, ABC No Rio's legal counsel cross-moved to stay the eviction, asking Judge Leona Freedman to apply a statute that stays dispossess proceedings when utilities are disconnected. In 1991, HPD had discontinued electrical service to the common areas of the building.

On December 12, Judge Freedman granted No Rio's cross-motion and stayed the proceedings pending restoration of the utilities. HPD may move to have the stay lifted, whereupon the proceedings would then continue, probably quite quickly, and possibly result in an order to evict by late January.

ABC's attorney also appeared on October 22 before State Supreme Court Justice Charles E. Ramos for oral arguments on No Rio's Article 78 Petition. Now ABC No Rio is awaiting a decision from Ramos as to whether or not a hearing will be scheduled. No Rio's Article 78 seeks to nullify the City Council resolution used by HPD to justify the eviction. On December 7, 1995, the New York City Council declared that 156 Rivington Street was a "blight" on the community and impedes the economic development of the municipality. The City Council then approved the "Harmony House" project sponsored by Asian Americans for Equality (AAFE) and promoted by HPD, in which AAFE would take over ABC No Rio's building. If the Article 78 Petition is not dismissed, it may be possible to stay the eviction proceedings once again.

AAFE, with origins in the Communist Workers Party (CWP), began as a militant community organization that took over city-owned buildings in the 1970s. Now that they have tasted the free money and properties acquired through numerous grants and public funding, AAFE has become yet another group of poverty pimps who seek money and power while posing as ethnic minorities concerned about housing their fellow poor, like so many other housing groups bitten by the real estate bug. AAFE, in cutting a deal to get another free building along with all the free money they can spend to rehabilitate it, now wants to take ABC's building as well, at the behest of HPD. HPD has maintained a hostile relationship with the ABC No Rio collective since ABC took 156 Rivington Street in 1980 after a long struggle with HPD over another building.

When they first announced their plans to take No Rio's building, AAFE offered to rent ABC's space back to them at a "market rate" rent of more than $1,000 per month. This is a long way from the $200 that ABC was paying HPD, and pure gravy for AAFE, which would be getting the building and all renovations and improvements for free.

The impending eviction of ABC No Rio takes place in the face of escalating hostilities in the neighborhood. Over the years, the example of No Rio's seizure of land (arising from the 1980 Real Estate Show, an activist art project dealing with gentrification) has inspired a whole generation of squatters. Today, many of those squatters are facing eviction. In this latest real estate boom, the city and state are moving toward privatizing public housing and eliminating rent stabilization. Other cultural and community centers are also facing eviction.

ABC No Rio and its supporters are now getting ready for an impending eviction. On January 3, a group of No Rio sympathizers staged a hit and run demo at the offices of AAFE at 111 Division Street. People chanted, rang bells, pasted stickers on the walls describing AAFE's treachery, and occupied the offices for about half an hour. The demonstration ended before police could arrive. Three days later, ABC No Rio supporters did it again.

Further actions against HPD and AAFE are contemplated. ABC No Rio will be defended. The eviction will be resisted. For more information, or to join ABC No Rio's Eviction Watch list, please call 212-254-3697.

HOW THE CONTRAS INVADED THE UNITED STATES

transfers of drugs for covert policy objectives, and Baranquilla is but one of many transshipment points in the hemisphere whose operations would be mirrored by the unloading of drugs from secret flights into private and military airfields for delivery into the streets and suburbs of America.

George Bush: "The Man Who Knew Too Little"

Celerino Castillo III is a 15-year veteran of the Drug Enforcement Agency who observed first-hand such an operation at Ilopango airport, where drugs were smuggled in a military facility under the direct control of the CIA and Lt. Col. Oliver North during his heady days at the National Security Council.

Castillo saw the light ten years ago, on January 14, 1986, the day he met then-Vice President George Bush at a Guatemalan embassy reception. The lead DEA agent in Central America tried to tell Bush that "something funny" was going on at Ilopango. "But he just shook my hand, smiled and walked away from me," Castillo recently recalled. Later that same day, he says, Bush met with Oliver North and contra leader Adolfo Calero.

Castillo went on to gather evidence that was documented in a Feb. 14, 1989 memo to his Guatemala-based DEA supervisor. He detailed how known traffickers with multiple DEA files used Hangars Four and Five for drug smuggling and obtained U.S. visas, despite their backgrounds. According to Castillo, "the CIA owned one hangar and the National Security Council ran the other."

"There is no doubt that they were running large quantities of cocaine into the U.S. to support the contras," Castillo said in a 1994 interview with the authors. "We saw the cocaine and we saw boxes full of money. We're talking about very large quantities of cocaine and millions of dollars." According to Castillo, "my reports contain not only the names of traffickers, but their destinations, flight paths, tail numbers, and the date and time of each flight."

Further evidence of the contra-cocaine connection supporting Castillo's accounts was obtained by the authors nearly ten years ago, in the form of an internal document of the since-disbanded House Select Committee on Narcotics Abuse and Control. In a syndicated *Newsday* article on March 31, 1987, we revealed the contents of the eight-page June 26, 1987 memorandum which stated clearly that "a number of individuals who supported the contras and who participated in contra activity in Texas, Louisiana, California, and Florida, as well as in Honduras, Nicaragua, and Costa Rica, have suggested that cocaine is being smuggled in the U.S. through the same infrastructure which is procuring, storing, and transporting weapons, explosives, ammunition, and military equipment for the contras from the United States."

Send Money, Guns and Cocaine

Drugs, weapons and money laundering have always been tools of the trade for U.S. clandestine operations abroad. But never in United States history has the importation of cocaine risen so dramatically as it did during the Reagan Administration's clandestine war against the government of Nicaragua, spearheaded by the "contras," a group of right-wing expatriate rebels pieced together by the CIA.

The window of opportunity for the CIA-brokered contra-drug alliance came in 1984, when Congress passed the Boland Amendment of the War Powers Act. This watershed legislation cut off direct intelligence and financial aid to the Contras. But the Reagan Administration continued the clandestine war (which began with a 1981 Executive Order) through the auspices of the National Security Council, which, by a legal technicality, was not considered an "intelligence" agency. Enter the Colonel, Oliver North, who directed NSC operations from the basement of the Executive Office Building.

Under North's stewardship, the $30 million in aid cut off by legal means was made up through covert means, namely, the sale of weapons to Iran and the exchange of CIA allies' drug profits for clandestine sanctions which allowed cocaine to be imported and sold up north, often using the very same planes which flew weapons south to the contras.

The combination of contras and drug dealers was a marriage made in heaven, former Narcotics Committee counsel Jack Blum recalled recently during Congressional hearings. "There were facilities that were needed for running the war, clandestine air strips, cowboy pilots who would fly junker airplanes, people who would make arrangements for the clandestine movement of money."

"Every one of those facilities was a perfect facility for someone in the drug business. So there were people who were connected very directly to the CIA who had those facilities, and allowed them to be used, and indeed, personally profited from their use."

Blum's dramatic charges are supported by a former high-level supervisory CIA officer. Alan Fiers, the former chief of the CIA Central American Task Force, stated in a sworn deposition to the Congressional Iran-Contra committees that "we knew everybody around [Southern Front contra leader Eden] Pastora was involved in cocaine...His staff and friends...were drug smugglers or involved in drug smuggling."

According to Miami-based John Mattes, a former federal public defender and Iran-Contra investigator for Senator Kerry, "what we investigated, which is on the record as part of the Kerry Committee Report, is evidence that narcotics traffickers associated with the contra leaders were allowed to smuggle over a ton of cocaine into the United States. Those same contra leaders admitted under oath their association and affiliation with the CIA."

The North Connection

During his recent testimony, Blum also raised the issue of Oliver North's notebooks, kept contemporaneously with his contra resupply effort. Even after North's lawyers were allowed to expurgate the notebooks, many of the pages made available to investigators still contain numerous references to contra drug trafficking. For instance, on July 9, 1984, North wrote that he "went and talked to [contra leader Frederico] Vaughn, [who] wanted to go to Bolivia to pick up paste, wanted aircraft to pick up 1500 kilos." In another notebook entry on July 12, 1985, North writes, "$14 million to finance [arms] came from drugs."

In a December 1986 interview with the authors, Jesus Garcia, a Miami-based North network operative said "it is common knowledge here in Miami that this whole contra operation was paid for by cocaine...I actually saw the cocaine and the weapons together under one roof, weapons that I [later] helped ship to Costa Rica."

A September 26, 1984 Miami police intelligence report stated that money supporting the illegal Contra training effort in Florida "comes from narcotics transactions." This memorandum, written at a time when Attorney General Janet Reno was the chief state prosecutor in Florida, has every page stamped "record furnished to George Kosinsky, FBI."

On March 16, 1987, U.S. Customs seized a plane from a narcotics trafficker who was involved with the contras. On that plane they discovered the address book of Robert Owen, Oliver North's eyes and ears in Central America. Owen, a former aide to Dan Quayle, met with Costa Rican-based CIA asset John Hull and Oliver North on many occasions.

In March of 1989, Costa Rican President and Nobel Peace Prize winner Oscar Arias barred Oliver North, John Poindexter, Major Gen. Richard Secord, former U.S. Ambassador Louis Tambs, and former CIA Costa Rican Station Chief Jose Hernandez from entry into Costa Rica.

Arias was acting on recommendations by a Costa Rican congressional commission investigating drug trafficking. The Costa Rican investigation was triggered by "the quantity and frequency of the shipment of drugs that passed through" land and secret airstrips controlled by "southern front" CIA point man John Hull. Hull worked extensively with North in setting up the "Contra &" front in Costa Rica.

In his notebooks, North talked about "the necessity of giving Mr. Hull protection." According to the Costa Rican investigation, and bolstered by other North entries and Blum's testimony, more than a half dozen drug pilots were provided by General Manuel Noriega, based on requests from North. According to the Costa Rican congressional commission, "these requests for contra help were initiated by Col. North to Gen. Noriega. They opened a gate so their henchmen could utilize Costa Rica for trafficking in arms and drugs." Hull would be later indicted by the Costa Rican Attorney General on drug trafficking charges and ultimately smuggled out of the country by a U.S. DEA agent.

According to North's notebooks, he met with Noriega twice during a time when the U.S. government had documented evidence that Gen. Noriega was involved in the Columbian drug trade.

Echoes of an Error

Testifying in the same room where Wanda Palacio testified before the Kerry committee nearly a decade ago, Blum echoed her observation about the way law enforcement and other officials looked the other way when the CIA-backed contras were involved in drug operations.

"What is true is the policy makers absolutely closed their eyes to the criminal behavior of our allies and supporters in that war. The policy makers ignored their drug dealing, their stealing, and their human rights violations," said Blum. "The policy makers, and I stress policy makers, allowed them to compensate themselves for helping us in that war, by remaining silent in the face of their impropriety, and by quietly undercutting law enforcement and human rights agencies that might have caused them difficulty."

During the heyday of the CIA-contra-cocaine connection, between the passage and repeal of the Boland Amendment, in 1986, every market indicator of the cocaine glut in America went off-scale. As Wanda Palacio astutely observed in 1987, "Three years ago (before Boland), the price of cocaine was $50,000 per kilo. Today it is $20,000 and sometimes you can get it for $15,000 to $18,000. The market for the cocaine isn't smaller -- so the lower price is a result of having supply increase even more than demand has."

U.S. Invaded By Contras

Something happened during the "contra" period in the Americas, specifically during the Boland period from 1984-86, and the evidence of a clandestine program which imported drugs to further political agendas is overwhelming, officially, medically and statistically. Today the CIA is being called on to answer the questions raised by the recent "Dark Alliance" investigative series in the *San José Mercury News*. But the true CIA-contra-crack connection did not really begin in the neighborhoods of Los Angeles or New York, nor does it end with the CIA.

The Central Intelligence Agency was only the tactical arm of an even larger global "contra" operation that was directed through the National Security Council, coordinated by Oliver North, conceived by the Reagan administration, executed by intelligence privateers and drug dealers, sanctioned by the CIA, and supported in principle by some

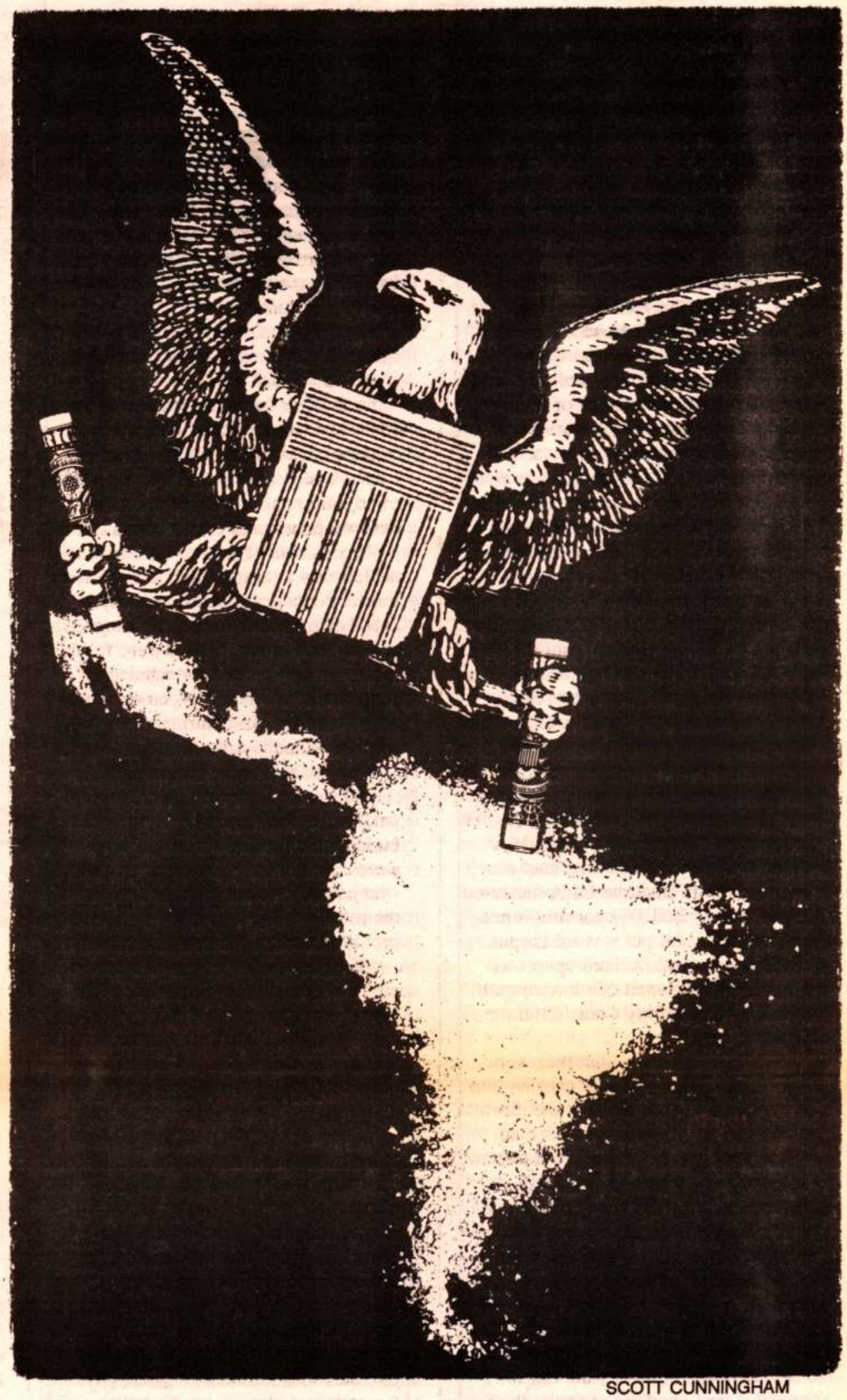
Continued On Page 22

LATIN DRUG WAR UPDATE

Rebellion Against Narco-Militarization Rocks Colombia, Mexico

By Bill Weinberg

Peasant and Indian resistance to the Washington-mandated anti-drug militarization of Colombia and Mexico--the top producer and transporter of cocaine, respectively--is growing fast. In both cases, Washington is pressuring regimes completely enmeshed in the drug trade to crack down on campesinos and guerillas--proving once again that the Drug War has replaced the Cold War in the permanent Pentagon/White House effort to maintain Yankee power over Latin America.



SCOTT CUNNINGHAM

COLOMBIA: Peasants Revolt Against Spraying Crops, Army Declares War Zones

Colombia is now iced from US aid for its supposed Drug War failures. In June, Colombia's Congress had voted not to impeach President Ernesto Samper on charges of having accepted huge cash donations from the Cali cartel. But in July hearings on Capitol Hill, a masked woman identified only as "Maria" testified before the Senate Foreign Relations Committee that she had witnessed money change hands between President Samper and representatives of the Cali cocaine cartel.

Top figures in the Samper administration--including the attorney general and the president himself--have had their US visas cancelled. The besieged Samper is desperate to get back in Uncle Sam's good graces.Samper hoped to recoup his losses with the much-hyped collapse of the Cali cartel. In August, the last Cali kingpin still at large, Helmer Herrera, was about to surrender to authorities after months of negotiations. Ironically, Herrera was going to prison mere weeks after his ancient rival, Medellin cartel kingpin Jorge Ochoa, was released after five years to retire to his sprawling ranches and haciendas. But this was not to be the hour of glory Samper had anticipated.

In July, army anti-riot squads broke up a cross-country march in the Amazonian state of Guaviare, where 15,000 peasants were protesting aerial spraying of glyphosate herbicide to wipe out coca and opium crops--the only ones that will fetch any return on the market for the struggling campesinos. The government had declared a "special zone of public order" in Guaviare suspending civil liberties during the spraying. The marchers demanded a new drug policy "independent of the pressures of the US." As they reached the state capital, Mitu, army roadblocks barred their way and troops used tear gas to disperse them. But the movement only spread.

By August the protests were joined by over 100,000 in neighboring Putumayo and Caqueta states. Army commander Gen. Harold Bedoya Pizarro claimed the campesinos were forced by the guerillas of the Colombian Revolutionary Armed Forces (FARC) to join the march. Campesino leaders denied the charge. Many campesinos see themselves as caught between the FARC and the army. On August 8, soldiers used tear gas to stop campesinos from occupying facilities of the state oil company Ecopetrol in Orito. But when the FARC dynamited Ecopetrol pipelines in Putumayo in the midst of the protests, the campesinos sent representatives to the oil facilities to say they had nothing to do with the attacks and didn't support terrorist actions.

Peasant protestors successfully occupied the Putumayo capital of Mocoa, but were stopped by the army's barbed-wire barricades 20 kilometers outside Caqueta's capital, Florencia. Clashes ensued in which four were killed and several wounded. But protestors battled police and attacked banks and public buildings in Florencia anyway. The army was called in and a curfew imposed to restore order. Tanks patrolled the streets. A scandal ensued as Colombian TV cameras caught government troops unloading tear gas cannisters from a truck disguised as a Red Cross vehicle.

On August 31, the FARC took advantage of the chaos to launch an unprecedented national offensive against military targets across Colombia, leaving nearly 100 dead. The army base at Las Delicias in Putumayo was overrun and destroyed, with 27 troops killed and 60 seized as "prisoners of war." The rebels "have shown a capacity for destruction that's unprecedented in the life of our nation," said Attorney General Alfonso Valdiveso. FARC strength is growing as peasants are angered by the coca eradication program. Gen. Bedoya said the army would have to increase its troop strength threefold to counter the new FARC threat.

Things finally seemed to de-escalate in early September when accords were reached calling for the campesinos to eradicate the coca crop themselves in exchange for government economic aid and barring the military from spraying while the campesinos do so. Samper actually visited Florencia to guarantee the government would respect the accords. But simultaneously, Samper's Vice President Humberto de la Calle stepped down and called upon Samper to resign as well, citing the drug scandal and Colombia's state of ungovernability. Then it got worse.

When Samper flew to New York to address a UN meeting on global anti-drug strategy, the Colombian Air Force's drug-sniffing dogs found 3.7 kilos of heroin stashed on his official jet. The president was reduced to taking a commercial Avianca flight. He was also travelling on a special diplomatic visa, the US having revoked his tourist visa. The next week, fighting intensified. A Samper aide was forced to admit that, for the first time in nearly 40 years of guerilla activity, "the country is at war." The Army and Air Force pounded Indian land in the highland state of Antioquia to dislodge FARC roadblocks on the highway to Medellin. The death toll was put at a minimum of 20. Local Embera Indians requested a three-day truce to allow their people to leave the war zone. The National Indigenous Organization of Colombia (ONIC) protested that Embera villages were being bombed. At an Indian march in Cauca state against a recent wave of violence, the banner read: "Paramilitary and guerrilla groups out of indigenous territories."

The government claims that the FARC is a "narco-terrorist" group funded by drug sales. But Colombia's security forces are at least equally enmeshed in the drug trade. Cali traffickers recently racked up a $200,000 phone bill on a number assigned to Brig. Gen. Ismael Trujillo, head of the federal Judicial Police, to coordinate drug shipments. Meanwhile, Colombian agents in Mexico succeeded in shutting down the FARC World Wide Web site (http://www.farc-ep.org), where the mainframe was based. FARC leaders protested that the web site was legal and vowed to get it back on the Internet.

Despite the apparent power vaccuum left by the demise of the Cali cartel, coca remains the only profitable crop for Colombia's peasants, and undiminished quantities of cocaine flow from the country. With the cocaine economy temporarily dispersed back into the invisible network of local bosses--protected by corrupt elements of the army, police, right-wing paramilitary groups or the FARC--it is a matter of time before a new cartel begins to re-establish hegemony.

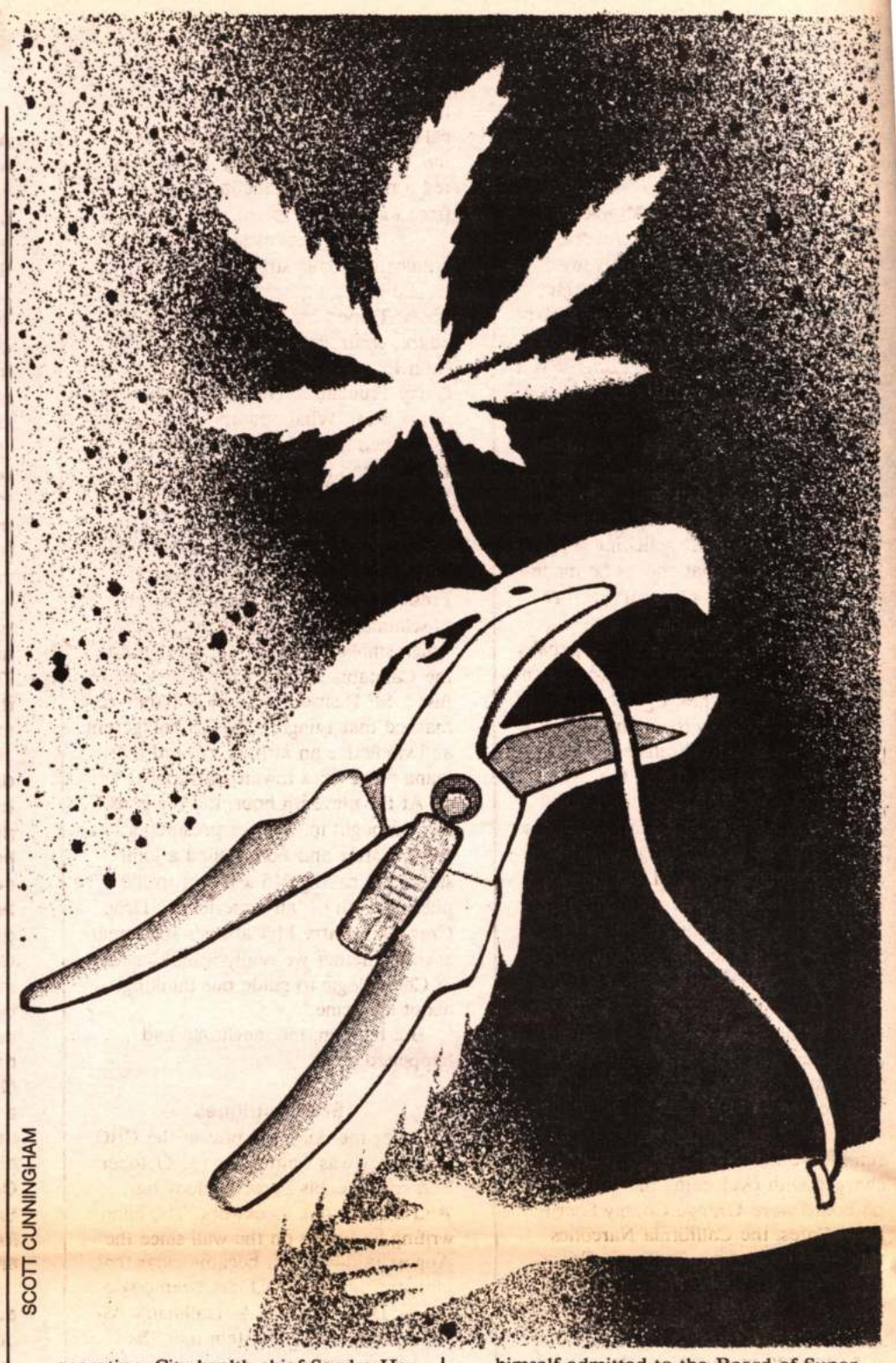
The Washington Drug War is pitting the army against Colombia's civilian government. During the anti-eradication protests, local Caqueta Judge Alejandro Molina actually had the temerity to sentence Gen. Bedoya and regional army commander Gen. Nestor Ramirez to 30 days in prison and a $23 fine for violating local residents' freedom of transit at the barricades. The decision was overturned on appeal, and Defense Minister Juan Carlos Esuerra subsequently asked the High Judiciary Council to investigate Judge Molina. Many speculate the army may now be ready to apply pressure to Samper himself--or even overthrow him. US ambassador to Colombia Myles Frechette told a Colombian reporter in August that she met in 1995 with "a group of civilians, speaking on behalf of military officers, who requested my support for a little coup against Samper." An outraged Samper immediately protested that Frechette had not gone to him with the information.

MEXICO: Zapatistas Support Legalization, Pentagon Ponders Intervention

The guerillas of Mexico's Zapatista National Liberation Army (EZLN), who have banned drugs and alcohol from their territory, finally embraced legalization as a means of halting Mexico's spiralling Drug War militarization. The Maya Indian rebels in the southern state of Chiapas are holed up in a remote jungle and attempting to organize a civilian movement while sporadic peace talks with the government sputter on and off. A recent international conference they hosted in their territory issued a proclamation against the Drug War, calling for "legalization of soft drugs throughout the planet." The move comes as federal army troops pour into campesino communities searching for

Continued On Page 22

MEDICAL MARIJUANA....



SCOTT CUNNINGHAM

The bust brought 800 candlelight marchers to the streets of San Francisco. Lungren denied that the raid was politically motivated, and made much ado about the alleged sale of pot to nonmedical users at the CBC. But he insisted that the Club was illegal even if it didn't engage in such activities.

The raid was also a move by Lungren against the municipal rebellion in San Francisco and other Bay Area cities and counties in response to the AIDS crisis. First on the issue of needle-exchange, and then on that of medical marijuana, Bay Area municipalities have been deciding that the necessities of addressing a health crisis are more important than following the Drug War dogma of state and federal law.

In 1991, San Francisco's voters passed Proposition P, officially embracing a non-enforcement policy for medical marijuana. A Board of Supervisors resolution after Prop P, introduced by crusading liberal Terence Hallinan, made medical marijuana the lowest enforcement priority for the San Francisco Police Department. Marin and Santa Cruz counties and the city of Oakland followed San Francisco in passing resolutions pledging non-enforcement against medical marijuana.

In 1992, Peron opened the CBC in a cozy upstairs den just off Castro Street. By 1996, the CBC had moved into a swanky five-story building at Downtown's 1444 Market Street and had over 11,000 members. One hundred pounds of pot and over $250,000 a week were changing hands. All pot was sold in sealed baggies with an "Rx" sticker reading "Not for Resale." Peron says all the profits were plowed back into the Club.

1996 also saw a new administration in City Hall. Longtime California Assembly Speaker Willie Brown, one of the country's most flaming liberals, became mayor. Terence Hallinan became district attorney. Following the CBC raid, Mayor Brown convened a task force to keep medical marijuana available. This task force approached the pioneering AIDS foundation Healing Alternatives, which provides herbal treatments not approved by the FDA. Healing Alternatives moved into medical marijuana distribution with city approval. Local churches serve as distribution centers.

But as revolutions become institutionalized, the burning visions and loose antics of the pioneering radicals are left behind. Healing Alternatives' Curtis Ponzi expresses ambivalence about Peron's CBC. He told the *San Francisco Examiner*: "We recognize that the Club did some good, but some people perceived that it was out of control. Our protocol and procedures are so rigorous that only people who have legitimate medical needs are going to be in our program."

New East Bay buyers clubs also took up the slack after the San Francisco CBC was shut down. They also eschew Peron's flair for the flamboyant in favor of a more low-key approach. The Oakland CBC, in sharp contrast to the luxurious San Francisco club, is stark, functional and sterile, in a downtown office building overlooking a landscape of urban decay. It feels like an inner-city clinic, with no-nonsense pamphlets on AIDS prevention displayed.

Says the Oakland CBC's Jeff Jones: "The OCBC went from 280 members to 510 after the raid. We started as a bike delivery service in October 1995, entirely word-of-mouth. On July 4, we moved into our new office. It was just in time."

The OCBC is backed by three Oakland city council resolutions: one endorsing a state assembly medical marijuana bill in October 1995, one endorsing the OCBC in March 1996, and one setting up a working group "to ensure enforcement of and compliance with the city's medical marijuana policy." The twelve members of this working group include doctors, attorneys and police charged with implementing a policy of non-harassment of the OCBC. All three resolutions passed unanimously, and Mayor Elihu Harris supported the CBC effort publicly after the San Francisco bust.

"If they bust us, they're looking at a long court battle," says Jones. "The ACLU is on alert."

The OCBC's Liana Held is quick to emphasize their control of the pot for medicinal purposes only. "Our members are not allowed to divert. If they do and we find out about it, we tear up their membership card and their records and say 'see ya.' We're trying to become a model agency to help other clubs around the country to work with city officials and create a secure environment for their operation."

Currently offering $7 an eighth for Mexican and $65 an eighth for the good stuff, on a sliding scale tied to patients' income, the OCBC is equally clear on having no profit motive. According to Held, "We're trying to get the price down. Our goal is to be in the pot distribution business, not the pot selling business."

They need more political elbow room to achieve their highest aspirations. "We can bring the price down to $6 an eighth for high-grade if we become licensed growers," says Held. "We can grow medical grades for specific strains--six percent or twelve percent THC."

Even Hayward, a conservative bedroom enclave south of Oakland, has a medical marijuana effort. Says Bob Wilson of the Hayward CBC, "I'm getting a lot of overflow from San Francisco now. And I'm scared to death right now. Oakland, San Francisco and Santa Cruz have an OK from the local government to sell to sick people. We don't have that in Hayward. They'd love to shut me down." The Hayward club opened in 1993 and went full time in 1996 at an undisclosed location. It now has nearly 100 members and serves up to 15 folks a day. A massage therapist comes in once a week, and works on patients for free. It has even held a cloning seminar to teach patients to grow for themselves --"get 'em independent from the black market," says Wilson. Drug Abuse Resistance & Education (DARE) and the PTA protested when Wilson opened his Hayward Hempery in 1993. Now Parents Against DARE meets at the store. A similar effort in Oakland last year won, when the city bounced its DARE program from the schools. "I'm a thorn in their side," says Wilson, who is on the executive board of the Hayward Democratic Club. "But I'm not a pain in their neck like Dennis."

The movement has also jumped to Southern California, where Santa Monica and West Hollywood have pledged a hands-off stance to local buyers' clubs.

Even if many are now rushing to distance themselves from him, it was Peron who spearheaded the movement. Even his critics respect him for that.

Peron Pushes the Envelope

Immediately after the August bust, Supervisor Tom Ammiano, a longtime CBC supporter, asked the Board of Supervisors to declare a state of emergency to protect medical marijuana, similar to the one already in place for needle exchange, allowing the CBC to continue operating. City health chief Sandra Hernandez, despite her support of medical marijuana, remained noncommittal.

After initial enthusiasm, the idea died on the vine. Vic Hernandez is a former Peron housemate, CBC health advisor, and needle-exchange activist with a Harvard public health doctorate. He argued that the law covering the needle-exchange emergency doesn't apply to medical marijuana. "The law is about prevention. We need another law about quality of life. And for that we need another governor."

And the prevention law is precarious enough. "The needle exchange in San Francisco is illegal," Dan Lungren's ubiquitous press spokesman Steve Telliano said flat-out to the *San Francisco Chronicle* after Ammiano's bid. Gov. Pete Wilson has vetoed three bills to allow needle-exchange statewide. But Bay Area municipalities are putting public health first--and once again, San Francisco is at the forefront. "The San Francisco Health Department bureaucrats know there is an activist community that will wipe them off the map if they don't respond," explains Hernandez.

The California state code allows county authorities to declare a state emergency to fight epidemics, temporarily suspending state law. The San Francisco Board of Supervisors declared a state of emergency for needle exchange in March 1993. There are also states of emergency in Santa Clara County and the cities of Berkeley (across the Bay) and Long Beach (in Southern California). But needle-exchange activists argued that applying the law to medical marijuana was spurious. And there were criticisms of the CBC's exuberant if sometimes sloppy style. Tom Ammiano himself admitted to the Board of Supervisors: "Dennis is not Mother Teresa." Even Peron realized it wasn't going to fly. "They'd have had a confrontation with Dan Lungren over the state of emergency. Now I'm into confrontation in the voting booth," he told the SHADOW. Peron was talking about his bid to export the medical marijuana revolution statewide through Prop 215.

In both 1993 and 1994, California's state legislature voted to legalize medical marijuana. Gov. Wilson vetoed it both times. Then Peron launched the Northern California campaign that collected 763,000 signatures to get Prop 215 on the ballot for November 1996.

Following its adoption by the voters, 215 is now addition 11362.5 to the California Health & Safety Code. It affects the possession and cultivation statutes of the Code--11357 and 11358, respectively. 11360--that covering marijuana sale--is not mentioned. But 215 does state that the purpose of law is "To ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction."

Even the ultraconservative *Orange County Register* joined the liberal San Francisco papers in backing 215. Dennis Peron was convinced that the bust actually helped the 215 effort. "The to-do about selling to non-medical users implies that it is OK to sell to medical users," he told the SHADOW. "And we were selling to 12,000 medical users. The bust put us on the map, and it

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MEDICAL MARIJUANA....

shows the lengths our opponents will go to."

But Dan Lungren wasn't finished yet.

Lungren Counter-Attacks

Dan Lungren is a piece of work. The ambitious attorney general is even to the right of his boss Pete Wilson. He has built his career by playing to fear of crime and drugs. The son of Richard Nixon's personal physician, Lungren is a ten-year veteran Republican Congressman from Southern California and a heavy favorite for the 1998 Republican gubernatorial nomination. A zealous advocate of California's "three-strikes-yer-out" law, Lungren took flack when a 1994 campaign mailer soliciting support for the bill asked that checks be made out to the Attorney General's own re-election campaign. The hard-ass Lungren has made racking up death penalty convictions central to the Attorney General's mission, and has argued repeatedly for bringing death row inmates to the gas chamber. He has transferred attorneys and investigators from the "white collar" corporate crime units and shut down the office's fraud division in favor of chasing street-level drugs and low-brow thugs. In the 1992 Los Angeles riots, Lungren backed up Police Chief Darryl Gates and called the Rodney King beating an aberration. In May 1996, when Santa Clara County at the south end of the Bay launched a County-financed needle exchange program, Lungren threatened to lock up the Santa Clara Supervisors.

The No on 215 campaign was co-chaired by Lungren and California Secretary of State Bill Jones--the very man charged with overseeing the vote. Also on board were Orange County Sheriff Brad Gates, the California Narcotics Officers Association, California Prison Guards Association and the California Sheriffs Association.

The No on 215 political committee was censured in August by state Judge Wendell Ford for using inaccurate information. No on 215 had said the American Cancer Society is against 215 when in fact they were neutral. No on 215 said no medical society endorsed 215, when in fact, the San Francisco Medical Society, representing 9,000 city MDs, officially endorsed 215. It was joined by the 7,500-member California Academy of Family Physicians. The 34,000-member California Medical Association took a stand against 215. Judge Ford also ruled against Bill Jones, who tried to squelch the 215 ballot on the grounds that it was printed with 14 point type instead of 12 point.

Los Angeles District Attorney Gil Garcetti demanded that his name be removed from No on 215's endorsers list, saying that he had no stance on the issue. Stan Vegar of the DEA's San Francisco office called 215 a "scam" and said, "it won't affect our work."

Lungren's media man Steve Telliano took the opposite tack: "It's true that federal regulations would still be in effect if 215 passed, and it's true that the state can enforce federal law. But the Attorney General believes passage would be tantamount to de facto legalization of marijuana. It would be tough to file a violation against anybody who had a recommendation from a doctor. And the initiative is so loosely worded that "doctor" could mean a veterinarian or a Ph.D., not only a physician."

On September 16, law enforcement upped the ante. LA sheriff's deputies arrested four people and seized a pound of pot (as well as medical records) in a raid of the West Hollywood Cannabis Buyers Club on Santa Monica Boulevard. No charges were filed and the CBC opened two days later at a local Methodist church. After the bust, the West Hollywood City Council adopted a resolution protecting the CBC from local enforcement.

In October, an installment of the syndicated comic strip *Doonesbury* turned into a First Amendment showdown. Tipped off by a *HIGH TIMES* editor, controversial CBC media whiz John Entwhistle contacted cartoonist Garry Trudeau in New York, who leapt at the bait. "What country are we living in?" asked an incredulous Zonker Harris when he heard bout the CBC bust. "Germany? Russia? *Idaho?*"

Lungren, not amused, called on newspapers to pull the comic strip. He challenged its distributor, Universal Press Syndicate, to squelch it or run a "disclaimer side-by-side with the strips which states the known facts related to the Cannabis Buyers' Club." They all refused. SF District Attorney Hallinan remarked that Lungren "has as belligerent and vindictive an attitude toward marijuana as he does toward cartoonists."

At the eleventh hour, the big guns were brought in. Former presidents Bush, Carter and Ford issued a joint statement calling 215 a threat to the public health of "all Americans." Drug Czar Gen. Barry McCaffrey's statement asked "whether we really want Cheech & Chong logic to guide our thinking about medicine."

But by then, the inevitable had happened.

SFPD Intrigues

After the August 4 bust at the CBC, everybody was waiting for the October Surprise--Dennis Peron's felony bust. And it came like clockwork. The handwriting had been on the wall since the August raid--when it became clear that elements in the SFPD had been co-opted by Dan Lungren. As Hallinan's Assistant DA David Millstein told *The New York Times:* "It's a highly unusual case where the District Attorney and the federal government won't prosecute, and law enforcement has shopped the case around to see who will."

Both Peron and his personal nemesis on the SFPD, Cpt. Gregory Corrales, are Vietnam veterans, both zealots with a flamboyant style. The much-decorated but highly controversial Corrales is San Francisco's self-declared "arch-enemy of evil" who once stormed a suspect's apartment wielding a pair of pistols and clad in a Superman outfit. A 27-year police veteran, Corrales was suspended in 1982 for firing his gun after leaving a bar outside the Hall of Justice. He also crashed his patrol car doing an illegal U-turn on the Golden Gate Bridge. In the 1970s and 80s, Corrales racked up an awesome 110 citizen complaints and was the target of ten abuse lawsuits. The city paid $100,000 to settle four of them.

Corrales first busted Dennis in 1974--the first of Peron's many arrests. Peron still carries in his leg bullet fragments from his 1977 arrest by Corrales' roommate, Officer Paul Mackavekias. Peron recalls Mackavekias calling him a "motherfucking faggot" on the witness stand and said, "he wished he'd killed me so there'd be one less faggot in San Francisco." Mackavekis was subsequently banished to the taxi bureau, while Corrales rose through the ranks.

In 1993, just as the CBC was getting off the ground, Corrales was promoted to lead the SFPD narcotics unit--where he initiated a probe of the CBC. When Corrales' investigation began, then-DA Arlo Smith declined to prosecute. The

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GHB KILLS!!

By A. Kronstadt

It is a great irony that as fast as Amerikan industry can churn out toxic chemicals, there are people who have been willing to suck them up, uncritically, in the form of mind-altering substances. Such has been the case with solvents such as those contained in airplane glue and White-Out deletion fluid -- liver-destroying chloroflurocarbons with intoxicating properties. Freon, an ozone-layer destroying gas found pressurized inside the guts of refrigerators, has been inhaled as a euphoriant for decades and is reported to produce a kind of out-of-body experience. All of these chemicals are legal, lethal, and very popular in some quarters.

Now, a new white powder has appeared on the market, called gamma hydroxybutyric acid or GHB. This is a legally obtainable chemical that is used in manufacturing pharmaceuticals, although it is not officially a pharmaceutical itself. GHB's drug property stems from its ability to get through the "blood-brain barrier," the brain's layer of defense against poisoning by toxic chemicals. Once inside the brain, enzymes break it down into a chemical called gamma-aminobenzoic acid (GABA). GABA is naturally found in the brain, in fact it is a hormone that brain cells use to communicate with one another. Hormones, particularly the neurotransmitter hormones such as GABA, work in very tiny quantities -- a few molecules are released at a time across the microscopic gap between one brain cell and another. Consuming GHB means flooding the brain with tens or hundreds of times its natural content of GABA, thereby altering mood and thought patterns.

Hormones, however, are notorious poisons when taken in large doses. The hormone cortisone is secreted in tiny quantities by our adrenal glands, signalling other organs to do their job. In its normal dosage it turns on the cells of the immune system, but it large doses it shuts them down. In slightly higher than normal doses, doctors use cortisone as a medical fire hose to shut down runaway immune reactions like arthritis and asthma. In much higher than normal doses, cortisone shuts down the immune system altogether, resulting in an AIDS-like condition. Another hormone from our adrenal glands, adrenalin, can raise blood pressure to a fatal extent if injected in doses larger than those naturally secreted. In slight overdose, a hormone called parahormone, secreted by tiny glands in your neck, will cause your nervous system to shrivel from calcium starvation. Hormones preserve the natural balance of the body's activities, and to dick around with the natural balance of hormones is like pouring antifreeze in your own gas tank and lighter fluid in your brake drums, then setting out for a ninety mile an hour drive across the Brooklyn Bridge.

Speaking of the Brooklyn Bridge, the author of this article bought the Brooklyn Bridge in the form of a hit of GHB a few months ago. I asked the GHB pioneer for a small hit, because I was just experimenting, and a small hit turned out to be about a gram, which is a quantity of galactic proportions compared to that in which any hormone is normally found. Most hormones are found in quantities ranging in the millionth of a gram range in the whole body. In comparison, LSD is taken at a quantity of less than one ten-thousandth of a gram at a time, and a whole joint will put about 25 one thousandths of a gram of tetrahydrocannabinol into your system. I do not wish to be construed as advocating any particular mind altering substance, but at least LSD and THC are not hormones -- furthermore, there are few people who would be stupid enough to swallow a whole gram of either.

The hit of GHB did not kill me, but the drug effects were not satisfying. I was very patient that night and could listen serenely to the most ridiculous conversation. Everything took on a purple cast, the sky looked weird, people sounded far away. I saw blinding flashes of light coming out of my window fan. It was kind of a depressant, but also gave me insomnia that night the way LSD or mushrooms do. This is not to say that the drug produced the level of hallucination or strange thought that acid or mushrooms produce, or the intellectual rushes associated with marijuana. It was different from other psychedelics, and was not really either a stimulant or a sedative. GHB just produced this kind of fuzzy euphoria that eventually turned into a frustrating inhibition of the body's natural process of falling asleep. For about three days after this strange high wore off, I felt dopey, like my mind was not functioning as well as it should. The symptoms disappointed me: why take a brain hormone to numb your brain? I never took any of the stuff again. Eventually, the dopiness disappeared.

However, like airplane glue and Freon, this chemical has a following. Some GHB devotees have boasted of swallowing tens of grams of the *white crystalline powder on a daily* basis. People whom many of us know have died from the stuff, yet the GHB fans answer that death has come from mixing GHB with other drugs such as alcohol and/or tranquilizers. Of course, this does not make GHB a welcome addition to a scene where lots of folks use alcohol and tranquilizers. Many people who cannot get off on one drug turn to mixing drugs for the ultimate high. Are the defenders of GHB willing to take responsibility for these peoples' lives?

Never say no, try everything, learn about everything. But one thing that we have to learn is what is poisonous in our industrial culture and what is not, just as our ancestors had to learn the difference between poisonous and edible mushrooms. Perhaps, as Freud said, we are born with a built-in death instinct counterbalancing our will to survive. Think about it, though, the death instinct only leads to death; everything else comes from the will to live.

NORTHCOAST TIMBER WARS HEAT UP:
1,000 Arrested To Save Northern California Redwoods
By Bill Weinberg

On September 15, the biggest protest ever against cutting old-growth timber in an American forest took place at the town of Carlotta in Northern California's Humboldt County. 6,000 gathered and over 1,000 were arrested, including blues star Bonnie Raitt, to stop the chainsaws of Pacific Lumber (PL) from cutting at the ancient and majestic redwoods of Headwaters Grove.

Once covering nearly 2 million acres of Northern California, the ancient redwood forest has been reduced to less than four percent of its range. The 60,000-acre Headwaters Forest contains the last privately-owned ancient redwood forest left. It includes the 3,000-acre Headwaters Grove and five other virgin old-growth groves. These groves protect the headwaters of several creeks and are home to such threatened species as the spotted owl and coho salmon.

PL, owned by the Fortune 500 megalith Maxxam, was ready to start "salvage" logging at Headwaters on September 16 as mating season ended for the marbled murrelet, a seabird that nests in the redwoods. The previous year saw 200 arrests before Garberville's Environmental Protection Information Center (EPIC) got an injunction to stop the logging at the eleventh hour. But over the winter, with the protestors gone, an appeals court overturned the injunction. Maxxam was ready to move again.

Just before the rally, closed-door negotiations between Maxxam and Democratic Sen. Diane Feinstein called for a two-week cooling-off period while negotiations continued. "There ain't a lot of meat on that bone," Earth First!'s Darryl Cherney told the press, noting Feinstein's own private fortune from San Francisco real estate interests. "As far as I'm concerned, all we've got here is a deal cooked up between two real estate developers who have more in common with each other than with the people."

Earth First!, EPIC and other groups came together with 6,000 protestors at the Carlotta site just outside PL's land as planned. After the rally, several hundred crossed one-by-one over the property line and were promptly arrested by state and local police.

Meanwhile, in the logging capital of Eureka, timber workers held their own counter-rally, with a convoy of logging trucks festooned with banners insulting Darryl Cherney and Earth First! in crude terms and decrying the closing of California's logging mills--as if environmentalists rather than NAFTA and corporate down-sizing were to blame.

For the next several weeks, over 150 more environmentalists were arrested in ongoing nonviolent guerilla-style actions aimed at halting the logging. Some activists found on PL land were arrested on felony trespass charges. Tensions escalated as loggers and local rednecks threatened and harassed the protestors.

As the two-week period ended, PL started salvage logging in Headwaters. EPIC's legal efforts failed to halt them, but did win a one-day stoppage when loggers illegally knocked down a 30-foot healthy hemlock tree.

In one action at the Eureka Democratic Party HQ, protestors spread manure in protest of the face-saving compromise plan negotiated by Feinstein.

EPIC is proposing an alternative plan linking protection of Headwaters to resolving conflicts over Maxxam's financial sleaze. Maxxam bought out PL in a hostile take-over funded by dirt-cheap, high-return "junk-bonds" in 1985. Maxxam immediately began clear-cutting the ancient redwoods at nearly three times the rate of PL's old owners, a local Humboldt family. 2,000-year-old trees--as well as the loggers' pension fund--were sacrificed to pay back the astronomical junk-bond debt.

The Federal Deposit Insurance Company (FDIC) and other federal regulatory agencies are seeking hundreds of millions of dollars in damages from Maxxam, charging deceptive financial practices and reporting. Maxxam magnate Charlie Hurwitz of Houston is fighting the charges.

In a 1991 lawsuit against junk-bond king Michael Milken, the federal government contended that Maxxam's leveraged buyout of PL was illegal due to shady junk deals between Hurwitz's now-bankrupt Texas savings & loan and Milken's notorious and now-defunct Drexel-Burnham-Lambert investment firm. Hurwitz's United Savings Association of Texas S&L folded--the fifth largest S&L failure in US history--and the FDIC was forced to bail out the depositors at a cost of $1.6 billion.

Cecilia Lanman of EPIC says Hurwitz's debt to the taxpayers should be paid back with public protection of the Headwaters redwoods. She calls for a "debt for nature swap" in which Hurwitz would surrender the Headwaters Forest to public protection to settle his debt to the American people. Lanman advocates an FDIC criminal investigation of the Texas tycoon. One banner at the Carlotta rally proclaimed, "JAIL FOR HURWITZ!"

Hurwitz, meanwhile, is suing the federal Interior Department and California Board of Forestry for interfering with his "private property rights" in Headwaters by denying him the right to build new logging roads under the Endangered Species Act.

Further complicating matters, the local Bear River Indians claim Headwaters Forest as their ancestral lands from before PL took it in 1869.

EPIC's suits against PL/Maxxam under the Endangered Species Act have slowed the plunder of Headwaters over the years. "We've been to court fifteen times and Hurwitz cannot log in six old-growth groves," says EPIC's Lanman. "But he got the 'salvage exemption' allowing 'dead or diseased' trees to be taken out. Thus far they have been unable to remove any standing trees in the ancient groves. We haven't been able to stop them from taking out downed trees. Had we not sued in federal court in 1995, they would have been able to cut standing trees in all the groves."

A 1988 EPIC case stopped Maxxam from clear-cutting in the virgin old growth groves, but the corporation is still doing "residual" logging of old growth--cutting the remaining trees in areas which had already been selectively cut by PL. "They are doing this illegally in our opinion," charges Lanman. "And they are doing it as close as they can to the old growth groves to try to destroy their integrity." There were over 40,000 acres of residual old growth when Maxxam came in. Most of it is now gone. Maxxam is also still clearcutting in second-growth.

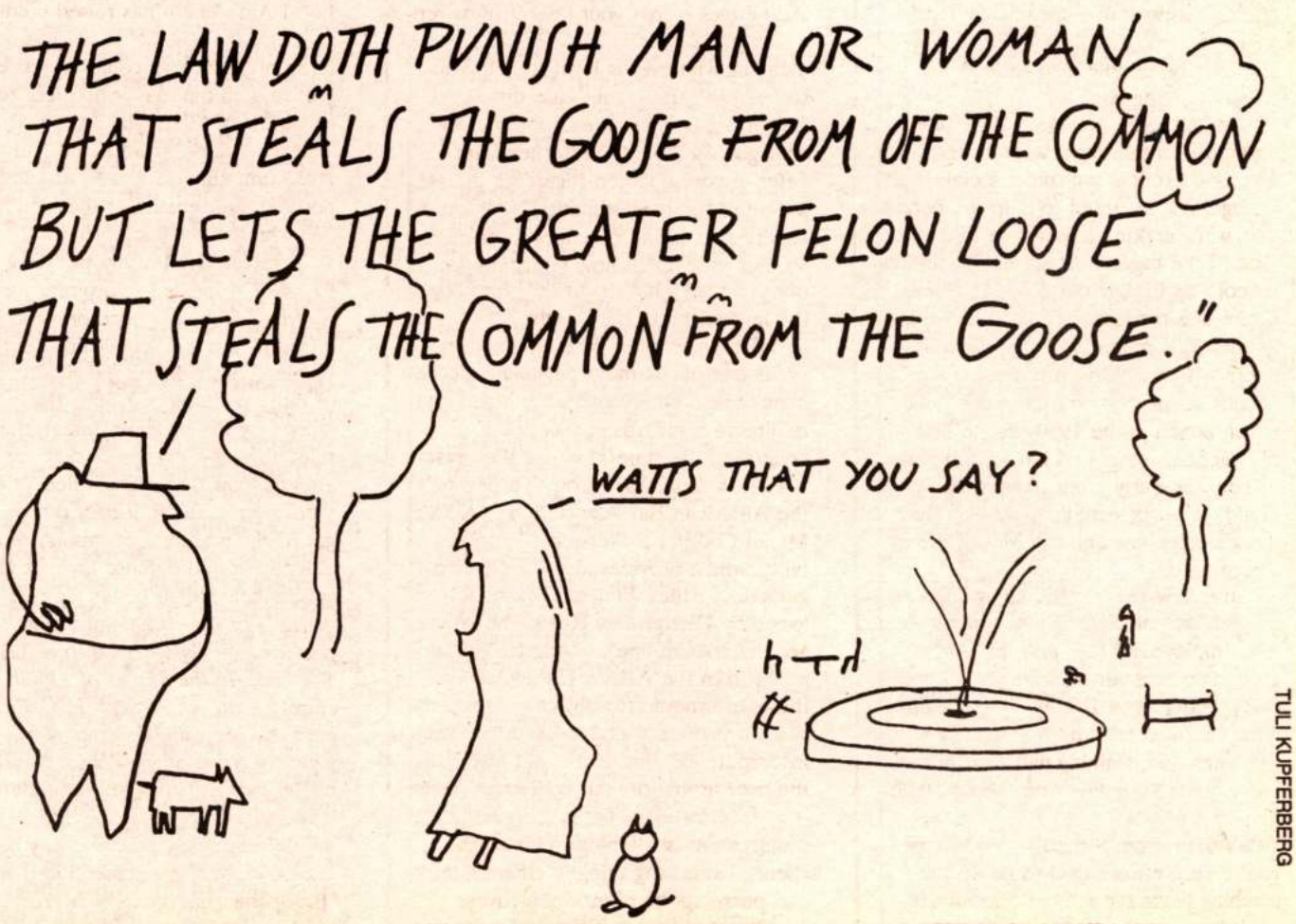
Maxxam has a friend in Republican Rep. Frank Riggs, who even introduced a rider to the last Interior appropriations bill that would have overturned 30,000 of 40,000 acres of designated critical habitat for the marbled murrelet--mostly in Headwaters. The rider was defeated in June. PL is a top Riggs campaign contributor and the largest employer in Humboldt County, a significant chunk of Rigg's district. Riggs' Maxxam-friendly plan to save headwaters called for granting PL logging rights in the Smith River Recreation Area of the Six Rivers National Forest, north of Humboldt in Del Norte County. The plan went nowhere due to complete lack of environmentalist support. "It involved trading old growth for old growth. It would have shifted the problem, not solved it," says EPIC's Paul Mason. "It was a political solution to a biological problem."

On September 28, a new deal for Headwaters was brokered by Sen. Feinstein. A10-month moratorium on logging in two of the ancient groves was declared--Headwaters and Elkhead Springs. Together with a buffer zone, these groves constitute 7,500 acres which would be turned over to joint federal-state protection. The deal also affects some of the adjacent holdings of Elk River Timber, owned by Sierra Pacific, some of which would go into protection, and some be transferred to PL. But it isn't a done deal yet. The government must come up with $380 million worth of land or other assets to pay Hurwitz for Headwaters, and closed army bases are apparently being considered. The deal is also contingent on approval of a Habitat Conservation Plan by the federal Fish & Wildlife Service for 205,000 acres remaining in Maxxam's hands, including the four ancient groves.

Lanman calls the Feinstein deal a "license to kill endangered species." She notes that either party--Maxxam or the government--can walk away from the deal on two weeks notice at any point. "If Hurwitz doesn't like what they offer, he can walk away and threaten to log in Headwaters."

Meanwhile, "salvage" logging continues in the four ancient groves not covered by the deal. EPIC is calling for the California Board of Forestry to bar the "salvage exemption" in virgin old-growth on the basis of an emergency threat to species and public safety due to the protests.

Lanman says the struggle isn't over yet, and that local activists will hold out for a debt swap as the only way to get real protection for Headwaters. "FDIC should collect on Hurwitz's debt and apply it to purchase of an adequate biologically sound Headwaters forest. That means 60,000 acres and all six ancient groves. Nobody is swallowing that they saved Headwaters. They know it isn't true."


THE LAW DOTH PUNISH MAN OR WOMAN
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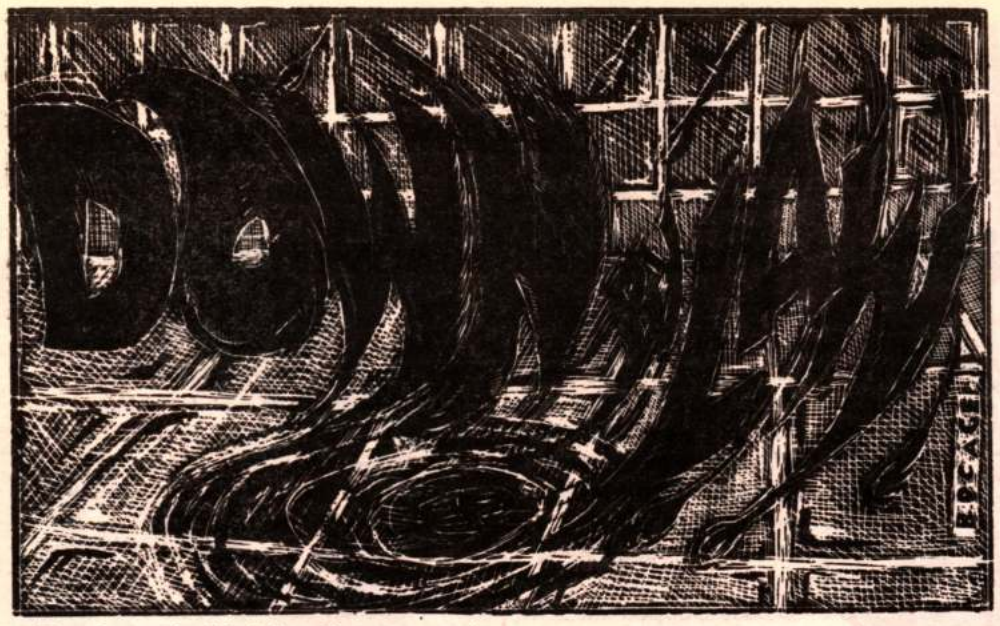
WATTS THAT YOU SAY?
TULI KUPFERBERG



By Angela Mehira Bocage

This issue's *Down By Law* will introduce the subject of lawyer/client communications for arrested activists, make a couple of announcements, and introduce this writer. I'm Angela Mehira Bocage, and I am (besides a cartoonist for the SHADOW), "not a lawyer, just a law student." Currently, I'm the law student vice president of the New York chapter of the National Lawyers Guild. A couple of years ago, I lived in San Francisco, where I was really pissed that fascist goons were attacking women's health clinics, and that people with AIDS like my brother Michael were getting abused not just by bashers, but by the cops.

So, I started to work with a direct action group that literally kicked ass. To paraphrase *Class War*, if you thought that holding hands singing "We Shall Overcome" in front of the clinic while KKK-type thugs attacked the clients and staff was gonna change anything, then you didn't want to join this group. My role wasn't so direct because I had small kids; I taught self-defense, worked a lot on communications, and learned legal observing and legal advocacy from the San Francisco National Lawyers Guild. I discovered that I could actually *get the police to leave my friends alone* at actions using these simple skills! It was great! Unlike many things I had done in the past (e.g., tap dancing, freeway driving, and temping at banks), I was good at it! I decided to go to law school to do it all the time, because from Mumia to the girl busted for defending herself, a lot of people were obviously getting screwed in a specifically legal way -- people whom I considered my community: people who were in the streets fighting back.

I didn't have, and don't recommend, any illusions that legal work or the electoral process can make social change, but I wanted to help the people who were making it stay free to do so. One of the biggest surprises I got in law school was finding out I wasn't alone. There is a modest-sized but astonishingly tenacious minority of lawyers who agree with me. Most are members or friends of the National Lawyers Guild, which began in the 1930s as the first race/gender-integrated bar association, to help the early labor movement. The Guild supports local projects like New York's Streetlaw and the Mass Defense Committee.

Streetlaw teaches the know-your-rights basics of housing law, immigration law, employment law, and the law around confrontations with police, and will be offering AIDS law in 1997, for free. The next training is February 8, and after that, training will take place every other Saturday, from about 10:00 a.m. to 4:00 p.m. Once you learn an area of law from Streetlaw workshops, you're then encouraged to be on the teaching team for at least one future workshop, with someone who's done it before. The Mass Defense Committee provides, also free, legal observers and defense lawyers wherever activists are marching, demonstrating, or making their presence felt in the streets. (And in parks, but more on that later.) They also train new legal observers. To attend a Streetlaw training or to request Mass Defense assistance at an action, call the New York Guild chapter at 212-255-4181.

Despite all this, law school's also taught me that some lawyers apparently possess the conscience and human sympathies of death camp doctors. The reasons for this have to do with the elitist and ideological screening process for the profession, and with what society as it is currently constituted, *rewards*. It's not that I'm cynical about human nature; as an anarchist, I think people are a lot better than current society gives them room to be, but law school, like many other things, can sometimes reward the biggest jerks. Therefore, some lawyers are better than you might expect, many aren't, and the latter deserve every lawyer joke ever told.

The reason radical lawyers are more likely to treat you right is partly that they they are simply more vulnerable. Just as more Civil Rights claims have historically been challenged under Rule 11 of the Federal Rules of Civil Procedure for being "unwarranted" based on existing law, so more radical lawyers have been challenged regarding their work by conservative colleagues or judges. Thus, it's sensible and shows healthy self-preservation to remain strictly ethical.

One foundational requirement of legal ethics is that your lawyer must represent you diligently and "zealously," meaning whatever is legal to help you succeed in getting your case dismissed, keep from being evicted, or whatever your goal is. And, the attorney must defer to your decision regarding the objective of the representation. (Although they're also bound by ethics to counsel you honestly about how realistic your objective is.) That's your decision; how the lawyer thinks they might get you there is his or hers. Whether your lawyer is one of the more personally decent ones or not, all attorneys are bound by minimum standards of the ethics code(s) of the state(s) where they practice. New York has its own version of the American Bar Association's (ABA's) Model Code of Professional Responsibility, which provides ideal "aspirational" guidelines called *Ethical Canons*, followed by Disciplinary Rules (the latter are the bottom line), which don't differ much from the ABA's. If they blow these, attorneys are subject to sanctions. Also, if you are found guilty due to their incompetence, that fact could lead to the overturning of your conviction. One part of a lawyer's ethical minimum daily requirement is listening to his or her clients, explaining things to them fully, and pursuing the *clients'* objectives.

That means that if you tell them you want to plead guilty or not guilty, they have to honor that. They have to do whatever they lawfully can to try to achieve it. These rules apply equally to public defenders and "18B" lawyers (private lawyers appointed by the court to take cases where Legal Aid would have a conflict, like multi-defendant cases). Further, ethics require strict confidentiality. No lawyer may reveal information they learn while they're representing you *ever* about anything you've done in the past (unless a judge should order them to, which is very rare). However, lawyers aren't supposed to keep intent of *future* crime secret).

There's undoubtedly potential for manipulation and pressure in the lawyer/client relationship. When people are accused of crimes, they're reasonably anxious, while the lawyer may appear to have at his or her command the intricacies of the system. Therefore, be sure to communicate clearly and forcefully, and don't hesitate to talk about anything in the past that your lawyer might need to know. Tell him or her what your objective is, whether to take a plea to a misdemeanor, or, not to plead out but to maintain innocence and make them give you a trial. They aren't bound to follow your strategy ideas about the exact way to go about achieving your objectives, but they should make sure you understand all your options.

In most cases, demonstration/political arrestees shouldn't worry if they can't get a private attorney or a volunteer Mass Defense attorney, and are assigned representation by a Legal Aid or 18B defense lawyer. Contrary to what one might expect, public defender jobs at Legal Aid, despite their relatively low pay, are very competitive, enabling them to hire qualified, committed people. Also, as one former Legal Aid attorney told me, she considers political arrestees one of the highlights of her work, because of the constitutional and social issues they address, because she is sympathetic to those issues, and simply because in the multitude of drug and property crimes, they present something different.

A final point in favor of Legal Aid is that it's independent, not city-administered. Legal Aid's union struggles against the City to maintain and raise the standards for indigent criminal defense. They are currently skirmishing bitterly with mayor Rudolph Giuliani, who's vowed to bust their union, like he did the PATCO air traffic controllers. Legal Aid's union has raised credible concerns that the Giuliani-sponsored defense organizations could be more cooperative with the mayor and less zealous on behalf of its clients. So, if you are assigned counsel from Legal Aid or 18B, communicate clearly as candidly as possible and remember that you're the one who decides the objective.

A recent decision by the New York Court of Appeals has promise for those mistreated by the police or wrongly subjected to arrest or conviction. In an opinion consolidating the similar claims of three petitioners against the New York City Police Department, the court ruled that new evidence could be available to show that officers lied or abused their discretion. No longer do the cops get to claim automatic immunity when defendants and defense lawyers request to see their memo books ("police activity logs") or the complaint follow-up reports commonly referred to as DD5s. The case, *In the Matter of Khalib Gould, Harold Scott, and Joseph F. DeFelice*, ends the previously exempt status enjoyed by these police documents. Normally, pursuant to state and federal laws, prosecutors are required to allow the defense team access to any relevant documents in their possession. It's called "Brady material" or in New York, "Rosario material," and withholding it from the defense is strictly forbidden. This case, however, challenged the exemption for memo books and DD5's under New York's Freedom of Information Law (FOIL), whose "policy is to promote openness in government." Still, this decision leaves more room for police secrecy, as in many cases, police can still withhold DD5's and memo books, claiming that the safety of witnesses could be compromised, and more potentially dangerous, when "confidential information of non-routine police procedures" could be exposed. Nevertheless, substantial factual information that could help defend the accused will now be easier to obtain, including a checklist that establishes the degree to which a crime scene was investigated and who all the witnesses are and their contact and descriptive information.

Until next time....we all need to support community center ABC No Rio's survival; besides financial donations and energy, it's extremely important to have people in court when their case is heard -- be there if you can. (Please call them at: 212-254-3697).

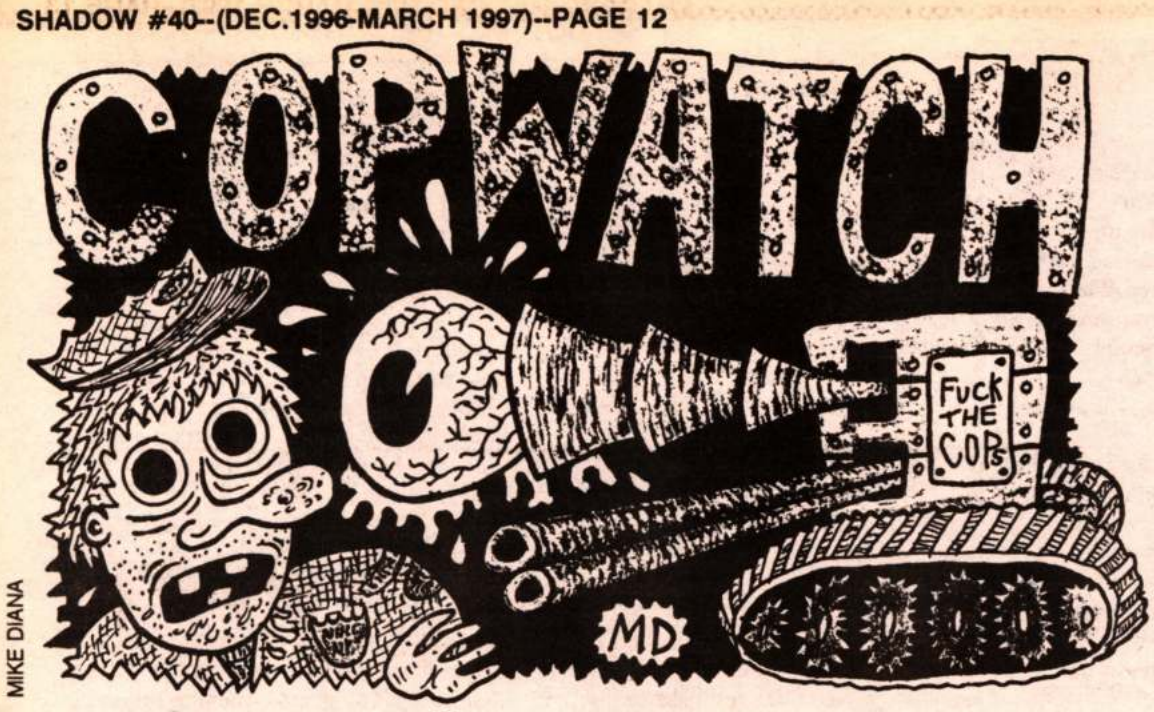
And remember the unconstitutional arrest of squatter supporters in Tompkins Square Park last August 13, when ninth precinct "executive officer" Captain Kelleher decided to invoke the obscure and constitutionally dubious rule that requires a group of more than 20 people in a city park to obtain an official permit. These persons, whose actions were peaceful, were arrested without hearing any warning from cops and held for up to two days waiting for arraignment. Some were denied medical care even after informing their captors about health problems.

At this time, Adjournment in Contemplation of Dismissal (ACD) pleas have been accepted from most of the arrestees, which illustrates how weak the police and city know their case to be. But others have chosen to fight the charges and their detention by taking their cases to trial. They hope to challenge the cops' actions and the strange "20 gets you 48" park regulation which, as several have pointed out, would do away with most team sports, family reunion picnics, and kids' birthday parties.

ACDs are fairly favorable dispositions and common for protest arrestees. With an ACD, a defendant's charges are dismissed provisionally, and will disappear permanently, unless the person is rearrested within six months, in which case the old charges may be added to whatever new charges arise from the subsequent arrest. Even so, the SHADOW's attorneys say it is very rare for the old charges to be brought up again. However, an ACD *is* a form of plea bargain, and as such, can include a requirement for the performance of "community service." While it doesn't deny guilt or challenge the law, accepting an ACD does preclude certain suits against the police or the city.

Two of those arrested on August 13 have refused ACDs and are asserting their right to a trial, where, we can only hope, some truth may emerge. They are local history poet/performer Carla Bedrosian, and Hooverville bass player and SHADOW reporter Steven Wishnia. Our support for their stand will help everyone who wants their park and their right to dissent, so please come to court for them on February 6 at 100 Centre St., Part AP 5, fourth floor, at 9:30 a.m.

THE SHADOW NEVER SLEEPS!!



MIKE DIANA

Well, here we are again!!
As always, cops and crime are in the news in a big way. Funny how those two seem to go hand in hand!!

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The Seventh and Ninth Precincts in the Lower East Side of Manhattan were reported to have undergone a 100% increase in murders in the period from January 1 to August 18, 1996, as compared with the same months of 1995, bucking both a nationwide and citywide trend.

***

On October 9, NYPD Sergeant Thomas Kennedy of the 24th Precinct in the Upper West Side of Manhattan was arraigned on charges of first-degree assault for lifting a burglary suspect up while handcuffed and dropping him face down on the pavement. Kennedy is charged with brutalizing Ricardo Cruz, one of three men who allegedly fled a parking garage when police responded to a report of suspicious activity. According to six witnesses, after Cruz was handcuffed behind his back, Kennedy picked him up off the ground and threw him into the pavement; unable to break his fall, Cruz suffered a cracked rib and a laceration to the forehead and lost three teeth. The cops then charged Cruz with assault, resisting arrest, and a variety of burglary-related charges.

***

On November 13, Thomas Zichetello and Frank Richardone, vice-president and treasurer respectively of the now-defunct Transit Police Benevolent Association and current board members of the New York City PBA, were indicted in Federal Court on charges that they embezzled $265,000 from the cop union and used the money to buy new cars for themselves and family members.

***

Inspector Charles Luisi of the NYPD took the Fifth Amendment in November as prosecutors grilled him about accepting free trips to Montreal and Puerto Rico from a Manhattan gun dealer whose shop supplies the police. The gun dealer's ex-wife is alleging in a lawsuit that her former husband used his connections in the Police Department to have detectives hold her prisoner in a hotel room for three days.

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On November 3, Newark, New Jersey's former Police Director William R. Celester was sentenced to two and a half years in jail for embezzling over $50,000 in police department funds and using it to pay for vacations and gifts for his wife and mistresses.

***

On October 3, a black man named Charles Campbell parked his car in front of a delicatessen in Dobbs Ferry in upstate New York. The owner of the deli, Richard DiGuglielmo, came out and screamed at Campbell that he could not park there, and Campbell told him that he was just going to buy a slice of pizza and would be right back. When he came back, he found that the deli owner and his son, off-duty NYPD Officer Richard DiGuglielmo Jr., had vandalized his windshield with a sticker. A fight ensued, and the younger DiGuglielmo shot Campbell to death with a handgun.

***

Officer Desmond Robinson has plea-bargained out of charges of assault, sodomy, and attempted rape stemming from a drunken sexual attack on an off-duty female officer with whom he was out bar-crawling in downtown Manhattan. Robinson pled guilty to a misdemeanor assault charge. *SHADOW* readers will remember that Robinson was shot in the back by fellow officer Robert Del Debbio in 1994. Del Debbio, who is white, mistook Robinson in plainclothes for a black suspect.

***

On October 13, off-duty police officer Brian Jones was accidentally shot in the back of the head and killed by another off-duty officer during a personal gunfight between the two off-duty officers and a man against whom them were seeking revenge for a mugging.

***

Investigators from the NYPD Internal Affairs Bureau have begun an inquiry into allegations that male officers at the Traffic Control Division had been secretly observing female officers through a hole in the wall between the men's and women's locker rooms.

***

While directing traffic around the scene of a collision on December 9, Officer Neil Forster of the 50th Precinct in the Bronx was struck and critically injured by a station wagon driven by off-duty Officer James Kalendarian. Kalendarian, a highly decorated veteran of ten years on the force was intoxicated. Forster was hospitalized with severe head injuries and has had a leg amputated.

***

On November 13, an all-white jury in Pittsburgh acquitted white police officer John Vojtas of beating and killing black motorist Johnny Gammage during a traffic stop after Gammage had emerged from his car holding a cellular phone that cops claim they mistook for a gun. A white tow truck driver who was the only witness who was not a participant in the beating testified that the police had started the confrontation, which took place on October 12, 1995.

***

Officers of the New York State Department of Environmental Conservation, who function as State Park police, were issued new Glock .40-caliber automatic handguns in 1993 to replace their 9-mm automatics. The cops were given the option of buying the "old" guns (which had been issued to them in 1990 to replace their .357 Magnum revolvers) at a bargain price of $256 with a waiver of sales tax. According to the State Inspector General's office, hundreds of the 9mm's were resold by the cops to civilians who did not possess licenses to carry them.

***

When you're surfing the internet, check out our Global Kop Watch site on the World Wide Web. You can share your experiences with cops and photos with the rest of the world. The address is: http://mediafilter.org/globocop

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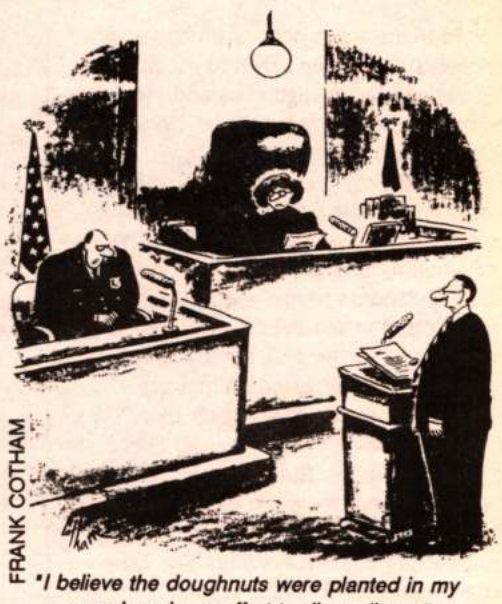
If you have any Kop Watch reports, info, photos, badge or undercover cop car plate numbers, please send it to: The SHADOW, P.O. Box 20298, New York, NY 10009, Attn: Kop Watch



FRANK COTHAM

"I believe the doughnuts were planted in my squad car in an effort to discredit me."

THE LIVOTI DECISION: A HAND AROUND ALL OUR THROATS

By A. Kronstadt

On October 7, 1996, Police Officer Francis X. Livoti was acquitted of charges stemming from the death of Anthony Baez, a man whom he had strangled to death after a confrontation over a game of touch football. On December 22, 1994, Baez and his brothers were playing the game in the side street in front of the Bronx house where their mother and father lived. A cop car containing Livoti and his partner was idling nearby for reasons unrelated to the game, and at one point the football hit the patrol car. The men apologized, but at a certain point the ball glanced off the cop car again. Officer Livoti responded by attempting to break up the game in an aggressive fashion, creating a confrontation with the Baez brothers during which Livoti turned on Anthony Baez and compressed his neck with a billy club in a manner intended to cut off his breathing. The 29-year-old Mr. Baez failed to recover from the assault. He died of asphyxiation in the back of the patrol car on the way to the precinct. Dr. Charles Hirch, the NYC Chief Medical Examiner, testified at the trial that the "asphyxiation was consistent with having been placed in a choke-hold," a police maneuver that is now against police regulations. In typical fashion, several cops, including Livoti's partner, testified that Baez was struggling wildly as they tried to handcuff him and that they had not seen Livoti apply the chokehold. Officer Daisy Boria, who arrived on the scene later in a different patrol car, said that Baez was lying motionless on the ground when she arrived. There was testimony from the only other witnesses--members of the Baez family, including Anthony's father. All said they saw Anthony Baez go limp after a chokehold had been applied. Anthony Baez, who had never been arrested and who was thinking about becoming a police officer himself, suffered from asthma; the elder Baez testified that he had run out into the freezing cold night in his underwear to warn the police that his son was asthmatic.

The case was tried, at the option of Livoti's lawyer, without a jury in the court of Acting Justice Gerald Sheindlin. Livoti's defense was paid for in full by the Patrolman's Benevolent Association. Justice Sheindlin ruled that, although all the evidence pointed to the fact that Livoti had killed Anthony Baez in a fit of murderous rage over a petty incident that concerned only the cops themselves, Livoti had not committed a crime. The act committed by Francis X. Livoti, according to Scheindlin, did not amount to the narrow charge of criminally negligent homicide--i.e., Livoti's act was not a "gross deviation from the care that a reasonable person" would have exercised under similar circumstances. As criminally negligent homicide was the only charge that Bronx District Attorney Robert Johnson was pressing against Livoti, Scheindlin therefore felt obligated to acquit him.

It does not look as if D.A. Johnson's office was serious about prosecuting Livoti. **In 1995, shortly after Livoti had been charged with the killing, the D.A.'s office dropped the case on the grounds that some of the paperwork had not been filed properly. The charge of criminally negligent homicide was imposed on Livoti only after a sit-in at Johnson's office by Baez family members and Puerto Rican community activists. Criminally negligent homicide is one of the lowest-level felonies, punishable by little over a year in jail.**

Scheinlin's verdict used the words "error in judgement" to describe Livoti's vicious escalation of a minor affront--not even an infraction of any particular law--into bloodshed. The judge's legal argument was that it was "illegal to resist arrest" even when the arrest is not authorized, and there was enough testimony from the police to leave a reasonable doubt in his mind that Anthony Baez was resisting arrest. Although the chokehold was illegal, ruled Scheindlin, asthma absolved Livoti of legal responsibility for the taking of life.

Scheindlin's junk justice encourages the police to exercise murderous passions. Francis Livoti had been the subject of 11 complaints before the Civilian Complaint Review Board, one for each of his 11 years with the NYPD, and was in a disciplinary program monitoring his conduct at the time that he killed Baez. In addition to this, he was facing departmental charges for choking and slapping a teenager in 1993, whom he had detained for riding a go-cart. Judge Scheidlin let police know that even a cop who is sick in the head has the force behind him.

CHICAGO FIVE FACE FELONIES

By Chris Flash

In a strange repeat of history, five activists have been arrested on charges of assaulting Chicago cops and inciting others to do the same at the 1996 Chicago Democratic Convention.

Twenty eight years earlier, in 1968, the Democratic Convention in Chicago was disrupted by rioting cops who indiscriminately beat peaceful demonstrators and bystanders inside and outside of the convention at the behest of mayor Richard Daley. In the end, eight political organizers were arrested on charges of conspiracy to riot and put on trial. They became known as the Chicago Seven after one of them, Black Panther Bobby Seale, was cut from the case and tried separately.

Twenty eight years later, the Democrats again chose Chicago as the site of their convention. This time, with Richard Daley's son Richard Junior as the mayor, veteran protestors of the 1968 convention vowed to return to Chicago, along with current activists.

In preparation for the convention, Andrew Hoffman, son of 1968 convention veteran Abbie Hoffman, went to Chicago to confirm the necessary permits for street marches and demonstrating at Grant and Lincoln parks. When he was unable to get the permits, Festival of Life organizer Robert MacDonald went to Chicago to see what he could do. Originally from New York's Lower East Side, MacDonald had worked with the Yippies on the Pot Parade, with City University students against mayor Giuliani's education cuts and against police brutality ensuing from Giuliani's "quality of life" crackdown.

Though he was told by the mayor's office and the park district office that there was a moratorium on permits, MacDonald knew that they were bluffing, since it violated first amendment free speech. Aware of the many parallels between 1968 and 1996, Robert studied what the Yippies did in 1968 to get their permits in the face of open hostility by city officials. He wrote to the current officials, requesting his permits with added ironic references to 1968: "Expect a cast of millions," and "The whole world will be watching."

In response, the city refused to either deny the permits or give him the paperwork he needed. When Robert sought help from the local ACLU chapter, they told him we was not a "proper" client and refered him to a "First Amendment" lawyer who demanded that MacDonald sign over his authority to acquire the march and rally permits to him. MacDonald refused.

Rob discovered that the ACLU had consulted with the city of Chicago and worked with the city's park district lawyers on how to set up "protest pits" to handle first amendment activities, even though at that time, the ACLU was representing no one involved with demonstrating during the convention. Protest pits are similar to the "pig pens" erected by New York City cops to contain protestors in small manageable areas, usually far away from the site being demonstrated against. Like sheep, many convention protestors signed up for a lottery in order to get their spot in one of several protest pits set up throughout the city.

While hanging out and sleeping in Grant Park, MacDonald and other organizers and demonstrators experienced a great deal of harassment from cops trying to make things as unpleasant as possible for them. Beside the cops, government agents scoured the area, ostensibly looking for explosives, and revenue police carrying guns sought to intimidate peddlers.

On August 22, two days before his first action (a "Stop The Drug War" rally and march), Rob got permits to use Grant and Lincoln Parks and to march on the sidewalks. The Drug War march included concerned citizens, pot heads, drug war reformers and people in the justice system. The issues addressed at the rally were the drug war, medical marijuana, treatment on demand, ibogaine for treatment of heroin addiction, industrial hemp, prison reform, and more. During the march, Rob tried and succeeded in getting marchers into the streets. He felt that this would determine the ability of other marchers to take the streets in other demos.

The march was filmed by veteran underground filmmaker Haskel Wexler, hired by ABC-TV news show *Night Line*. (Wexler is best known for his 1968 movie *Medium Cool*, which explored the hypocracy and parasitic nature of the news media. He cleverly incorporated the Democratic Convention's anti-war demonstrators and Chicago Police Riot in Grant Park into his movie, at one point having his actors play their roles in the middle of the chaos, as Chicago pigs beat and chased peaceful demonstrators behind the actors.) Unfortunately, Wexler chose to film the marchers from the rear, completely ignoring the current issues being dealt with. Wexler replaced speakers' words with music, focusing on a few individuals to make the march look thin, even though more than 1,000 people participated. The marchers' signs were not shown, nor were speakers heard in Wexler's coverage. According to MacDonald, this served to portray the current demonstrators as a group of complacent protestors, defined as co-operating with the police.

On Monday, August 26, a small demonstration around education issues took place from Grant Park across from the Hilton Hotel to one of the same statues climbed by protestors in 1968. This time, the horse had been greased to prevent a repeat of such an action, so demonstrators scrubbed the horse with giant toothbrushes, creating a guerilla theatre action. They then marched to the convention site, with a topless female marcher wearing a mask of Hillary Clinton. She was later arrested. Though less than 100 people marched, the media coverage was extensive.

The next day, a much larger demonstration of roughly 2,000 people began in Wicker Park, focusing on the death penalty, police brutality, freedom for amerikan indian activist Leonard Peltier and the Drug War. Led by Chicago Seven veteran Dave Dellinger, the "Not on the Guest List" march included a coalition of leftists, amerikan indians led by Vernon Bellecourte of AIM, and anarchists.

Festival of Life organizers wanted to march to Wicker Park to meet the larger rally with an all-black band from Dunbar High School marching in front of them, but the band was forced to reboard their buses and leave after their music instructor was threatened and scared off by cops as two vans with 45 riot clad pigs arrived. Even so, according to MacDonald, this was the most successful and biggest march of week, with loads of visuals and props. Other than the cops intimidating the high school band, MacDonald told the SHADOW that there were no other incidents.

On Wednesday, August 28, Festival of Life participants and supporters joined a march led by controversial NYC black activist Al Sharpton in his "Campaign to Cash a Check," getting its name from Martin Luther King's quote that blacks need to withdraw freedom from the "bank of democracy." The only incident noted by MacDonald was when cops pigs attempted to steal media materials from the anarchists' Counter Media vehicle that filmed the march.

The next day, as MacDonald was setting up for a demonstration at the Hilton Hotel, he was arrested on six counts of felony mob action stemming from Tuesday's march and tossed into jail. Later that day, police picked up four other organizers one at a time, outside of any media attention. Before his arrest, MacDonald had told the Department of Transportation of his plans for a coalition march up Michigan Avenue from the Hilton. They told him that he hadn't responded quickly enough to their response to his request for a march permit. But when he insisted that he was within his response time since he had just received their response in his mail, they said nothing more. Twelve hours later, MacDonald was arrested.

Two hours after his arrest, Rob saw his girlfriend Bonnie Tocwish brought into the same jail. While in custody, she was denied access to her medication. Four hours later, the Reverend Ron Shupp was arrested after being tricked by cops into leaving a demonstration at the site of his earlier arrest with Dave Dellinger the day before. Ben Masel, already in custody for "trespassing" as he handed out leaflets in front of the Hilton, was arrested again just before he was due to be released on the trespassing charge. Later that day, animal rights activist Michael Durshmid was arrested as he took part in a demonstration outside the jail, protesting the arrests of the others. Durshmid was well known to Chicago cops for his creative animal rights protests, including confrontations at the rodeo and at several MacDonald's restaurants. Twenty six hours later, the Chicago Five, as they were now known, were released on a total bail of $5,000.

The Five were charged with two counts each of "felony mob action," "aggravated assault," and "aggravated battery," all of which are felonies. All of the charges stem from the previous Tuesday's "Not on the Guest List" demo. At first, all five were charged with throwing a single bottle at cops. Later, they were charged as leaders who encouraged the crowd to throw a bottle at cops and riot in general. However, contradicting his own department's charges, Chicago police press officer Paul Jenkins told the *Chicago Tribune* that there had been no incidents at Tuesday's demonstration.

The Chicago Five expect their trial to begin sometime in February. They have made a motion to quash and have collected more than 50 willing witnesses to testify on their behalf. In addition, they are subpoenaing news reporters to counter the five cops whose false statements are the basis of the charges against them. If convicted, the Chicago Five face two or more years per count.

Since their release, and while awaiting trial, MacDonald organized and negotiated a permit for another police brutality demo on October 22. After that march, he was assaulted by grocery store security guards when he refused to allow them to search him. MacDonald was put in a hospital for his injuries, but somehow the guards were able to have him arrested for assaulting *them*.

MacDonald also participated in political protests against former States Attorney Jack O'Malley, who brought the case against the Chicago Five. He feels this contributed to O'Malley's loss in his re-election bid in the November 4 elections. MacDonald has made newly-elected States Attorney Dick Devine aware of the case and has requested that in light of the absurdity of the charges, Devine drop the charges against the Five. Devine declined to comment on the charges since MacDonald is a defendant in the case.

Currently, MacDonald is organizing for a Drug Reform Policy conference on the February 14, the anniversary of Chicago's Saint Valentine's Day Massacre. The conference will compare alcohol prohibition, which led to the rise of organized crime and the complete corruption of Chicago cops and politicians to the current Drug War, which has led to open bloody warfare among rival coke and crack gangs and corrupt cops shaking down drug dealers. Invited speakers include the ACLU, former States Attorney assistants and Chicago cops who agree that prohibition gives power to the criminal element. For more info, call Robert MacDonald at: 773-486-8085.

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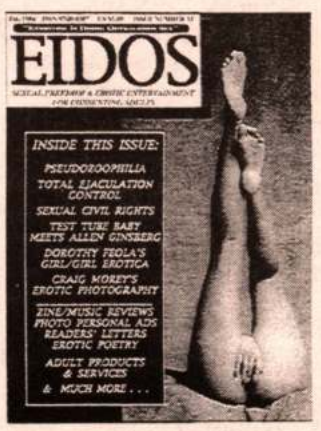

LISTINGS LISTINGS LISTINGS

JANUARY 13: RALLY TO REMEMBER POLICE VICTIM FRANKIE ARZUAGA: 1st year commemoration of Arzuaga's death at the hands of murderous Police Sargeant James of the 90th Precinct in Brooklyn who shot the 19 year old in the back. Meet at 5:00 pm. at 164 Graham Ave (corner Montrose Ave., Bklyn). For info, beep: 917-879-4869 or 917-644-9963.

JANUARY 14: DON'T BLAME ME, I VOTED FOR THE UNABOMBER: A look back at the Unabomber for President Campaign. Sponsored by the LBC Anarchists. Brecht Forum, 122 West 27th St., 10th Floor. 8:00 pm. Donations Requested. Call: 212-979-8353.

JANUARY 14: ACCOUSTIC DRUM JAM. Bring coffee and food to share. At the KRYPT, 719 East 6th Street. 8:00 pm.

JANUARY 20: BENEFIT FOR MUMIA: An evening of jazz and poetry with Max Roach, Cassandra Wilson, Amiri Baraka, Sonia Sanchez and reggae music by the Bush Doctors. Also featuring an address by retired Supreme Court Judge Bruce Wright and legal updates by Ray Brown Jr. Sponsored by Coalition to Free Mumia Abu-Jamal. City College's Aaron Davis Hall, Convent Ave at 135th St., 7:30 pm. $15 donation. Call: 212-465-3109.

JANUARY 20: MARCH AGAINST POLICE BRUTALITY: Our civil rights are being taken away by rogue cops. Protest the police murders of Anthony Rosario, (18 yrs, shot 14 times) and Hilton Vega (21 yrs, shot 8 times in the back while face down on the floor). STOP THE VIOLENCE BY KILLER COPS. March begins at the victims' Bronx home at 2784 Claftin Ave (off University & 197th St) at proceeds to the Bronx's 46th precinct at 181st & Ryder Ave. 2:00 pm.

JANUARY 22: PEACEFUL COMMUNITY PROTEST MARCH FOR POLICE VICTIM ANABEL CARRASQUILLO: Carrasquillo was shot in the back by plain clothes cop Marco Calderon on Jan. 22, 1995 in Flatbush, Brooklyn. Meet at 5:00 pm. at 410 Westminster Road bet. Cortelyou & Dorchester. (D train to Cartelyou). Join the victim's family and friends. Call: 718-284-1267.

JANUARY 24; HOMOEROTIC TOUR OF THE METROPOLITAN MUSEUM: Body Positive Gay Social presents a different way of looking at nudes in art. They see homoerotic themes in everything from greek vases to italian paintings. No ifs or ands, but plenty of butts. 7:00 pm. to 9 pm. Call: 212-566-7333.

JANUARY 31 & FEBRUARY 1: FREEING THE MEDIA: Independent media teach-in and speak-out. There is no democracy without a democratic media. Workshops by WBAI's Amy Goodman, Z Magazine's Mike Albert, Jeff Cohen of FAIR and the Nation's Katrina Van Heuvel. Sponsored by the Learning Alliance and Paper Tiger Television. For info and location call: 212-226-7171.

FEBRUARY 11: CHAIN STORES = CHAIN WORKERS??: Members of the Philadelphia Industrial Workers of the World (Wobblies) fight to organize Borders Books Stores and end the struggle or low wage retail workers everywhere! Sponsored by the LBC Anarchists. Brecht Forum, 122 West 27th St., 10th Floor. 8:00 p.m. Call: 979-8353

FEBRUARY 12: QUEER POLITICS THEN AND NOW: Prize winning playwrite, historian and former director of City University's Center for Gay & Lesbian studies speaks on Gay and Lesbian politics and his new books "A Queer World" and "Queer Representations." Lesbian & Gay Community Center, 208 West 13th Street. 7:30 p.m. Call: 620-7310

THROUGH FEBRUARY 23: DADA INVADES NEW YORK!!: The urinal as art?? See weird art by Duchamp (who adorned the Mona Lisa with a mustache), Man Ray and other Dadist artists, the precursers to the surrealists. Whitney Musuem, Madison Ave at 75th St. Free Tuesdays 6-8. Closed Mondays. Other days and hours call: 212-570-3676.

MARCH 11: THE DISAPPEARING WRITERS: When power structures cannot co-opt individual creativity, they try to eliminate it. Sometimes the destruction is symbolic, sometimes real. In Iran today, writers themselves are being threatened and under the rein of the now immortalized Evita reporters who disagreed with Peron were banned. Sponsored by the LBC Anarchists, Brecht Forum, 122 West 27th Street, 10th Floor. Call: 212-979-8353.

MARCH 30: RETRIAL OF ATTICA CLASS ACTION SUIT: The Center for Constitutional Rights is calling on Gov. Pataki to settle this civil suit brought on behalf of prisoners of the 1971 Attica Prison uprising. Call Michael Deutsch, Legal Director of CCR, at: 212-614-6427.

MARCH 31: RACIAL JUSTICE DAY: National Congress for Puerto Rican Rights needs volunteers to help plan the 1997 Racial Justice Day scheduled for today. To help or get info, call: 212-631-4263.

APRIL 11: PAPER TIGER AND BEYOND: Activist media from Public Access to the World Wide Web. Paper Tiger TV is a series of public access shows which critique media culture and politics. Talk and screening with Paper Tiger folks and friends Tuli Kupferberg and others. Exit Art, 88 Crosby St. (bet Prince and Spring), 7:00 pm. $5 Cafe open. Call: 212-966-7745.

EVERY TUESDAY: NATIONAL CONGRESS OF PUERTO RICAN RIGHTS JUTICE COMMITTEE: NCPRR is a grassroots org founded in 1981. The Justice committee seeks justice for victims of police brutality and racist violence. Help organize rallies, push for trials of killer cops and challenge the NYPD and NY politicians to have accountability. Meetings held at 6:00 pm. at 105 East 22nd Street, 4th Floor. Call: 212-631-4263.

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DO YOU HAVE AN EVENT OR ANNOUNCEMENT TO LIST?

The next SHADOW is coming out in March. From then on, we plan to publish every month. To ensure inclusion in the SHADOW, please send us your listings as much ahead of time as possible. You can also call in listings to: 212-631-1181.

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WBAI 99.5 FM RADIO

IS PACIFICA STRANGLING COMMUNITY-BASED RADIO? Call the Save Our Station hotline (212) 465-7562, or write/send support to P.O. Box 8564, New York, NY 10116-8564. (This ad was paid for by Save Our Station (SOS), an alliance of concerned listeners and producers at WBAI.

This classified ad was refused by Mario Murillo (Public Affairs Director) to run a second time in WBAI's Folio newspaper, while at the same time, Valerie Van Isler (General Manager), admitted to having spent $30,000 of listeners' money on union busting activities.

WHAT'S GOING ON?

ON GOGOL BOULEVARD

By Neither East Nor West

On Gogol Boulevard (OGB) is a news-service and update produced by NYC Neither East Nor West, networking alternative and opposition groups in the West and Communist/ex-Communist countries, printing news and documents unavailable in the corporate or "left" media, also incorporating struggles in the "Third" and "Fourth" (land-based indigenous peoples) worlds, with a focus on groups with anti-authoritarian and anti-Stalinist perspectives. We take our name from Gogol Boulevard, the hippie/alternative hang-out in Moscow under the Soviets.

OGB is not for anarchists only. We are interested in all things promoting freedom: workers'/women's/minority/gay rights, environmental/self-determination/anti-militarist issues--any struggle pursuing paths outside capitalist and state bureaucratic models. We invite all those with similar perspectives to contribute to ***The SHADOW's*** *OGB section. Please address letters, reports, documents, debates, graphics, photos, etc. directly to OGB at: OGB/NENW-NYC 528 Fifth Street, Brooklyn, NY 11215, or call 718-499-7720.*

RETRO-COMMIE CONSOLIDATES BELARUS DICTATORSHIP

By OGB News Service

On November 22, NENW-NYC held a protest at the Belarus consulate in New York to protest the new dictatorship of Alexandr Lukashenko and express solidarity with activists persecuted by his regime.

An open Soviet nostalgist who dreams of restoring the USSR, Lukashenko has balked on giving up nuclear weapons remaining on Belarussian territory to Russian authorities who have pledged to dismantle them. He recently signed an "integration agreement" with Russia with an eye towards rebuilding the Soviet Union.

Rather than take absolute power through force, Lukashenko had staged a pseudo-democratic farce, calling for a referendum to vote on a new constitution extending the president's term and powers and granting him the right to disband parliament. In the prelude to the vote, Lukashenko called troops into the capital, Minsk. He shut down the city's subway system to make it difficult for protestors to gather. Troops mixed it up with protestors from Belarussian nationalist groups opposed to union with Russia, miners angry at low wages and dangerous working conditions and pro-democracy activists and anarchists opposed to the power grab.

Lukashenko did his best to marginalize the protests. Radio 101.2, the only non-government station broadcasting in the Belarussian language, was shut down by presidential decree. A campaign of harassment was launched against the independent newspapers. Five weeklies had their assets frozen by tax inspectors, forcing some to cease publication. All newspapers were ordered to apply for new licenses from the government. Those papers under investigation by the tax inspectors are in danger of being refused licenses.

When independent TV stations across the border in Russia reported on the protests in Minsk, Lukashenko had the stations jammed. All Belarus stations broadcast the same footage of Lukashenko praising his own policies and lambasting his critics. The offices of opposition groups, such as the independent trade union SMOT, were raided by police.

The Constitutional Court ruled on November 4 that the referendum should not be honored. Lukashenko responded by illegally sacking the head of the Central Electoral Committee.

In this atmosphere, on November 24, Lukashenko won his referendum by 70%. He immediately set up a new parliament, with the upper house personally appointed by himself. The old parliament, meanwhile, refuses to recognize the referendum. The country is now divided, with two rival parliaments claiming legitimacy. The chief judge of the Constitutional Court has resigned in protest of the referendum.

Among those arrested at the Minsk protests were eight anarchists, who were released after international protests organized by NENW and the InterBrigade, a group of anarchists in the ex-USSR who coordinate over the Internet.

CROATIA MEDIA CRACKDOWN CONTINUES SERBIAN REGIME TEETERS

By OGB News Service

In both Serbia and Croatia, the two most powerful states to emerge from the former Yugoslavia, the regimes are in crisis and have launched new crackdowns on the opposition and independent press.

In Serbia, thousands are taking to the streets to protest strongman Slobodon Milosevic's annulling of local election results favorable to the opposition. In December, when Milosevic's police closed the independent radio stations B-92 and Radio Index in Belgrade and BOOM 93 in Pozarevac, the protests only escalated. When B-92 continued to broadcast in defiance of Milosevic's orders, the regime started jamming it. Milosevic caved in and allowed the stations to reopen two days later. But at press time (December 6), the streets are filled for a 17th consecutive day with thousands of protestors demanding Milosevic's resignation.

Meanwhile in Croatia, rival strongman Franjo Tudjman was just revealed to be suffering from terminal cancer. A power struggle looms after his death, and the clique around Tudjman and his nationalist Croatian Democratic Union (CDU) is likewise pursuing a clampdown on the opposition and alternative press.

On September 26, a Zagreb municipal court judge acquitted Marinko Culic and Viktor Ivancic, editors of the alternative satirical weekly *Feral Tribune*. The pair had been the first to be tried under a new law making it illegal to "offend" the president. The acquittal came after much international protest on behalf of the *Feral Tribune* editors, including a protest at New York's Croatian consulate by NENW-NYC.

But on October 10, the Tudjman government appealed the acquittal. The state prosecutor called for an annulment of the verdict, issuing the statement: "The court seriously violated proceedings of the criminal code and erroneously established the factual situation." Ivancic and Culic continue to face a year of imprisonment if convicted.

Ironically, Ivancic and Culić face slander charges for calling Tudjman "a follower of Generalissimo Franco" wher Tudjman himself had upheld the late Spanish dictator as an example of a man "who enabled normal development of democracy in Spain" by having "the courage and wisdom to say that both the Spanish Communists and Phalangists [Fascists] have fought for Spain, albeit under different flags."

A second investigation has now been launched under the draconian law. On November 29, Croatian police questioned Vesna Jankovic, the editor of the anti-militarist bi-weekly *Arkzin*, about an article on private assets acquired by Tudjman's family. Tudjman had earlier announced that he would clamp down "on false prophets ... who preach human rights and media freedom."

On October 24, Croatian Defense Minister Gojko Susak said his ministry will sue the independent weekly *Globus* over a report that a Bosnian Croat war crimes suspect is living in a Croatian hotel owned by the ministry. According to *Globus*, Gen. Ivica Rajic, who is accused by the UN War Crimes Tribunal of massacring Muslim civilians, is living in the state-owned hotel in the port of Split.

Tudjman is also moving against independent radio. On November 21, 100,000 people demonstrated in Zagreb to protest Tudjman's closing of the city's popular Radio 101. The previous day, the Croatian Telecommunications Council had refused to renew a license for Radio 101, the last independent radio station in Croatia. This was one of the largest protests in Zagreb since independence from Yugoslavia. The independent daily *Novi List* headline read: "Revolution In The Air Waves." One Croatian army unit issued a statement in solidarity with Radio 101, saying "we are with you with our voices, manpower, and weapons if necessary." Tudjman capitulated, agreeing to review Radio 101O's license request.

To demand freedom for the *Feral Tribune* defendants and a license for Radio 101, write to Franjo Tudjman at:
President of the Republic of Croatia
Zagreb, Croatia
Fax: +385 1 443 075/444 532/456 5188

Info-Center "Black Cat"

There was created the **"Info-Center "Black Cat"** on september 1995 in Słupsk, that is accomodation base for **"Social Activity" Collective (section of polish Anarchist Federation and Polish Anarchist Federation Information Office) and "Friends of the Earth Association"**. It consist of full-equiped office, editorial computer-set, ecological and libertarian library, objector advice point, alternative book shop and place for meetings, room-concerts and exibitions.

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SUB-CULTURE

PERMANENT AESTHETIC SUBVERSION

By Nikky Merotta

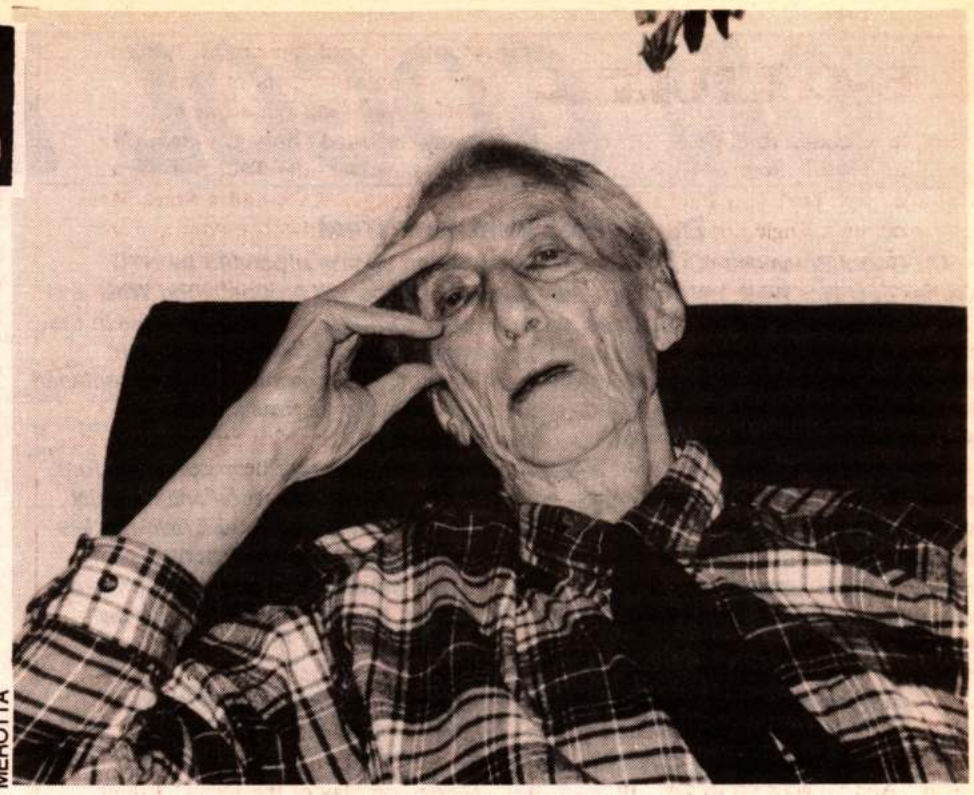
a fuckin' freak a' nature

Oh well, another day another SHADOW. Well, in this second column of me oh mine, I wanna tell ya about a swell new friend. He's 91 years old and his name is **Mr. Sidney Peterson**. He lives in New York, on the upper west side. Ever hear of him? Probably not. The fact that you probably never heard of the dude is a crime against humanity. Boy! This country's abandonment and betrayal of true artists, poets and surrealists never ceases to amaze me. Only in America are the sensitive and gifted, the mediums and the mystics, the prophets and the hysterics, treated like so much rubbish. We are a nomadic tribe of black sheep, ostracized from the traditional family, denied and neglected by all social structures, kicked out of all institutions. Ah, but after we are dead, we are sold as gold in their museums!

Sidney Peterson is an American surrealist who made beautiful short films in the 1940s in San Francisco in workshops with art students. His films are the ingenious product of workshop spontanaiety, dreams and chance. They are really a trip and every bit as radical now as they were in the 40s, if not more so! Apparently back in the 50s they caused quite a melee in theatres, which contributed to their infamy. His films are not available on video, so ya gotta make a little effort, lazy girls and boys. But I'm gonna show ya how easy it is and cheap or even *free*, cause I really want ya to see them.

First of all, there's such a thang called the public library. All the branches have videos you can check out, but the Donnell library branch which is on 53rd Street, across from the Museum of Modern Art, has a media center where you can reserve 16mm prints of films which you can take out for one whole week. Thus, you can organize screenings! You go there and look through their catalogues to see what they have, fill out reserve slips, pick out the date when you want the film, (this must be done at least two weeks in advance), and then you are notified through the mail. Everything usually works out fine. You can search the catalogues by directors' names, the titles of the films, and also by subject. Listed under "experimental" is a ton of cool stuff, short films, surrealist films, stuff from the 40s, 50s, 60s -- you name it, they just might have it. This is precisely where you can find films by **Sidney Peterson**. If they don't have what you're looking for, then try something that ya never heard of -- it's free to check them out, so what the heck? Take a chance on something ya never saw before and set up screenings in the squats or at ABC No Rio, or wherever. Put up some flyers and have a show! Since the films are from the library you're not allowed to charge an admission, but you can pass the hat to cover expenses.

Another place to check out is the **Film-makers' Cooperative** at 175 Lexington Avenue (Phone: 212-889-3820). They have the best collection on the east coast of experimental and advantgarde films and their rental prices are pretty affordable. To find a 16mm projector, ask around, or if you know someone in school, students can often borrow one. If you save up a little money you can buy an old Bell & Howell 16mm projector for about $100. They are listed in the **"Buy'N Sell"** that comes out every week for the 5 boroughs and Long Island (available at your local newstand -- I know Ray's at 7th Street and Avenue A carries it). I always see lots of bargains in there for used cameras, photography and film equipment. Okay, those are my tips for the day to you all -- have fun, be creative and do some hit and run movie happenings. Why not? What have you got to lose? There's a lot of really cool stuff out there that the theatre chains will never show. Boycott the mainstream movie corporations, go underground and create your own movie theatres wherever you can -- "have projector will travel" -- do nomadic movies. You can even project movies in the streets on the sides of buildings. The possibilities are endless, like projecting a movie outside during a protest or picket -- it would certainly draw more attention than a little cardboard sign!



N. MEROTTA

SIDNEY PETERSON

I was fortunate enough to be able to see two **Sidney Peterson** films thanks to Casandra Stark Mele, herself a surrealist filmmaker/poet who has been hosting monthly film screenings at Club Access at 6th and Ave C. December's program featured two shorts from Mr. Peterson and two shorts from Mr. **Charlie Chaplin**. It was great and it was *free*! Why more of the public didn't turn out is an unsolved mystery to me. Maybe people are afraid to go to Club Access because it is a program for people with "mental illness" -- what wimps! It was a perfect setting to watch movies in. Well maybe it was too near Christmas, 'cause come to think of it, November's screening of **"Titicut Follies"** had a real good turnout. Coffee and cookies were served and many neighborhood people, squatters and members of Club Access all gathered in from the cold. The place was magically transformed into a real movie theatre! For those of you who don't know, **"Titicut Follies"** is a documentary film by **Frederick Wiseman** made in 1967 inside a state prison/mental hospital for the criminally insane in Bridgewater, Massachusettes. The film is the only documentary to be banned from the general public by a state supreme court. The ban was finally lifted in 1991, since enough time had passed to make this particular airing of the government's dirty laundry seem archaic as new stronger, more invisible, but no less sinister abuses are firmly in place. Rest assured the Bio psychiatric, Pharmaceutical complexes and Department of Corrections are mightier and more vicious than ever. Buyer Beware, Psychiatry kills!

Striking works of art. Poetries in the Midst. Why non-commercial, underground film is so vital today girls and boys. Why it's so important to me that you, my dear readers, behold such works. Well to be quite frank, we can all use a bit of disorientation of Reason, a liberation from language, a revelation, a blow to the old limbic noodle noggin, Godarnit! "What we ask of the cinema", **Robert Desnos** pointed out when discussing "mystereres du cinema" in *Le soir*, a surrealist journal, on April 2, 1927, "is the impossible, the unexpected, dreams, surprise which efface the baseness in souls and rush them enthusiastically to the barricades and into adventures; we ask of the cinema what love and life deny us, that is mystery, miracles."

The revolutionary philosophy of Surrealism is particularly repressed in American culture (its teachings are undoubtedly a threat to Capitalism). I'm reading a great book called *Surrealism and Film*, by **J.H.Matthews**, that I was

Continued on Next Page

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SUB-CULTURE....

only able to obtain through an inner state public library search. Now why can't the New York City Public Library system obtain a single copy for their own branches? Repression, Ignorance and Arrogance, shameful unforgivable sins! In the introduction to the book, Matthews says: "Surrealists are not whimsical people, incapable of thinking consecutively or consistently. They are revolutionaries who want to unseat reason from the throne of the mind, requiring it to abdicate before the authority of the imagination, to which they prefer to make obeisance. This is why hallucination-making contact with a private view of the world, imaginatively-oriented is to them a voluntary act...By doing this he intimates that he refuses to be reality's dupe...prefers to be imagination's dupe, since imagination seems to hold out more attractive rewards." And he goes on to say: "In surrealism, faith in love, taken beyond the limits prescribed by reason, is a token of the conviction that, by placing trust in it, we shall benefit from its intervention in our lives. Love is considered a key to freedom, capable of overcoming all obstacles for those bold enough to bar the door, by whatever means are closest at hand, against oppressive restrictive influences."

Well, before I run outa space I have a few things to review. Two new books of poetry -- Yeah! **Michael Carter's** "*Broken Noses and Metempsychoses*" just published by **A Gathering of the Tribes, Fly By Night Press.** It is locally available at Tower and St. Mark's Bookstores. It is a book of poems dealing with life in the east village in the 80s: alchemy, love, sirens, ghosts, bohemia and impressions of Prague. Winchester Chimes, Charlie Ondras and David Wojnarowicz are a few of the local luminaries eulogized in his poems. A movable feast of memories. "If every corner of New York is a stage where the great works have and still play continuously, Carter passes through these theatres and reads the residue of their ancient arcs and hears their ghosts speak behind new masks" -- this from the preface written by **Carl Watson**, who also has a new book. **Carl's** book of short stories, "*Beneath the Empire of the Birds*," a collection of three of his previous chapbooks, should be out soon. It is being published by **Apathy Press** and will be available in your favorite bookstore, hopefully. Included are the compulsively bizarre illustrations by artist **Joe Coleman**. The stories all take place in a low brow Chicago neighborhood; the bleak monotone landscape of its streets, the transient hotels, SROs, skidrow bars, employment agencies, the long hallways and cramped rooms of the corridor buildings. The characters include people from various walks of life: drunks, prostitutes, day laborers, the unemployed, thrill-seekers, the lonely, the hopeless and the hopeful, and a lot of people who just plain think too much. Passing through are drifters, has-beens and never-will-bes. The stories invoke the lack of control most people have over their lives, the pathos paranoia and chaos which forms this strange painting called humanity.

There are a few art shows you can catch if ya run. "*Rubbernecking*" is a collection of collages made with stencil, oil and silkscreen by **Eric Rodine** on view until January 12 at **Max Fish**, at 178 Ludlow street. The work is meticulously invented, the colors oddly of the past, yet somehow futurism is implied. Then we got something called the "*Doll Show*" at the **Livestock Gallery** at 237 Eldridge street. The gallery hours are Thursday-Saturday from 12:00-6:00. This show is on until January 11. It is an interesting assortment of dolls by **Rachel Amodeo, Dame Darcy,** the recently departed **Greer Lankton, Lisa Barnstone, Jennifer Tull, Judi Rosen, Kim Crongeyer, Casandra Stark Mele, Jo-Jo and Petunia.** The dolls are created from everything from fruits and vegetables to more traditional wood, clay, metal, etc. If ya got a thing for dolls you will really like this show. "*Paintings and Drawings*," by **Regina Bartkoff**, is a show on view at **Bullet Space** at 292 East 3rd Street and is on until January 10. Gallery hours are Saturdays and Sundays 1-5:00pm, or by appointment (Phone: 212-505-8312). I was at the opening and overheard a man attempting to describe the paintings to **Steve Cannon** of *A Gathering of the Tribes*, who is pretty visually impaired these days, just about blind. Anyway, the guy told him, "The paintings are vibrant colorful things that would sell like hotcakes to tourists in Mexico on Day of the Dead." I think that is apropo, but will add that the paintings contain images of skeletal figures racing through haunted landscapes, womens' bodies, wild grins and whips, cowboys, wounded women warriors of life battling through the pain. The paintings are of a self-taught expressionistic style that inspire anyone with the passion to do so to dive into the paint. On Friday, January 10th, starting at 7:00 pm, the closing party for the art show at **Bullet Space** will feature spoken word and music performances by **Carl Watson, Carla Cubit, Doby Daenger, Ish and friends** and **The Trees.** The events at Bullet space are usually real fun -- check this out if ya can.

So much more to tell ya, but that's all the space for now, so see ya next SHADOW. Be good, stay happy (it will keep them all guessing).

Send me stuff to review or just to check out. Ya know by now I dig surrealist films, poetry and inspirational music. Send me your chapbooks, videos, cassettes, invitations, whatever. For those of you who are emotionally disturbed or uncomfortably deranged, hang in there and contact: **Saint Dymphna**, c/o Franciscan Mission Associates, 274-280 West Lincoln Ave., P.O. Box 598, Mt. Vernon, NY 10551. She is invoked by all who suffer nervous and emotional disorders, epilepsy, sleepwalking and insanity.

Oops! This just in. On January 8th, I'll be joining **D.I.A.**,the NYC chapter of **Disabled in Action** at 10:00 am outside the U.S. Supreme Court in Washington, D.C. for a vigil to say a most definite NO! to physician-assisted suicide. On that day the Supreme Court will hear arguments in favor of killing people. **Not Dead Yet**, an upstart group of Americans with disabilites who are calling for the vigil, say: "Piss on pity, We want to live! Every year the practitioners of mercy death kill thousands of people with disabilities -- against our will, out of pity. If the Supreme Courts declare mercy death legal, that's like declaring open season on people with disabilities" -- especially the poor! Sound Nazi familiar? "The death train is on the fast track and we must stop that train!" More on this in the next SHADOW! Join us! Contact: **Not Dead Yet**, 61 Brighton Street, Rochester, N.Y. 14607 (Phone: 716-244-3346 or via web (http://acils.com/ notdeadyet)

Write to me: **Nikky Merotta c/o The Shadow, P.O. Box 20298, New York, NY 10009**

THE SHADOW KNOWS!!

LINDA TWIGG: 1956-1996

Linda Twigg, well known and loved Lower East Side activist, died on October 19 at the age of 41.

I first heard of Linda when she sent the SHADOW a fan letter in 1989, shortly after we began publishing. She offered to distribute the SHADOW at the Chelsea Hotel where she was living. A few months later, I was at the Abbie Hoffman memorial at the Palladium on Fourteenth Street. When it ended, I ran to the stage to meet Jeff Schero, editor of the 1960s underground newspaper The RAT, which the SHADOW was modeled after. When I shouted my name and said I was from the SHADOW, the woman standing with Schero told the rent-a-pig to let me through. That woman was Linda Twigg.

Through Linda, I met many interesting people as the SHADOW was picking up steam during the many street battles with cops in and around Tompkins Square Park in 1989 and 1990. One was Peter Leggieri, an editor of the East Village Other, another underground paper of the 60s. Another was Bob Fass, veteran Yippie and talk show host on WBAI radio. Yet another was Mickey Cesar, the Pope of the Church of Realized Fantasies, which used marijuana as its holy sacrament. Linda obviously considered the SHADOW the heir apparent to the RAT and the Other, and I appreciated that.

It seemed to me that Linda was always into something -- putting people together, networking, doing deals and hustling. Above all, she was a fan of the SHADOW and the feeling was mutual.

Linda was an intelligent and upbeat person with a fruitful mind, who combined her social consciousness, anarchist ideals and her devious talents with a business mindedness that got results. In other words, she was a hustler who used her abilities to subvert the system and contribute to the underground culture that she was a part of.

One of her many projects was running a floating gambling den/casino in the Chelsea Hotel. Then she set up The Doubling Cube, manufacturing gambling parafernalia, such as custom-designed gambling chips and felt gaming table clothes. (She and her partner were written up in the October 6, 1991 edition of the Daily News.)

At different times throughout the years, Linda was homeless, squatting, running businesses, and befriending and supporting a wide range of people, some famous and not so famous. Beside the Pope, Linda was tight with Beat Generation poet Herbert Huncke (whose book she helped to promote), IRA freedom fighter Joe Dougherty (who was held in a Manhattan jail while trying to fight England's attempts to extradite him), and Hank Nussiein (whose apartment was illegally entered by pigs who charged him with weapons possession).

When the Pope was released from jail with terminal cancer (thanks to neglect and a botched operation by prison doctors), it was Linda who took care of him and found him an apartment to live out his final days, off the streets.

After Huncke's death on August 8, I asked Linda to write about her experiences with him. Always the SHADOW fan, she readily agreed. After her piece was printed, Linda was excited and offered to write some subversive stuff for us as our "Electronic Soldier of Fortune." She said she had done an article on how to use pieces of paper to fool vending and change machines that take dollar bills. I looked forward to working with her more than I told her because she was definitely one of us!!

On September 21, Linda was sent to Bellevue Hospital when she was arrested after she protested Woody Allen's film crew taking over her block with their vehicles and equipment. She told me that the pigs broke her door down and beat her as she showered.

A few weeks after that, she came by to pick up some SHADOWs. She had a black eye and swollen nose, covered by make up. This was the last time I saw Linda. A few weeks later, I heard that she had been hospitalized with more facial injuries. On October 15, I got messages that she had been calling me, but we never connected. I heard that she was in the hospital again, but it was not clear exactly what had happened. Though she had been in and out of the hospital several times, she was able to leave each time after only a few days.

Then, on October 19, Linda was discovered in her storefront apartment unconscious and turning blue. A friend who arrived attempted CPR, but noted that she had no retina movement. He called an ambulance, but it was too late.

Some people say that Linda had been ingesting large doses of GHB (See story on Page 9--Ed.), possibly with depressants, resulting in her blacking out repeatedly and hitting her head and face over and over when her knees buckled as she collapsed. According to SHADOW sources, this is why she was hospitalized each time in the past month.

Still, some suspect that Linda was the victim of a vicious beating. Others wonder if it was a combination of all the above. In the end, the cause of death was listed as "suppression of breath," meaning that her breathing had slowed down, due to no oxygen intake.

It seems incredible that Linda had just written an obituary about her friend Herbert Huncke in the last SHADOW, and now I am writing her obituary. It's still hard to believe she's gone because she was a constant presence in our scene -- a friend and fellow anarchist, a hustler and activist. I didn't realize that she had been suffering so badly in her last weeks.

After her death, I made several trips to her storefront. As the days went on, the number of flowers, lit candles and notes from her friends grew. A large sign read: "You are missed by many." Linda will be missed, but she won't be forgotten.

--Chris Flash

REVIEWS

AMERICAN MILITIAS
Rebellion, Racism & Religion
By Richard Abanes
(InterVarsity Press, Downers Grove, IL, 1996)

THE KLAN
Second Edition
By Patsy Sims
(University Press of Kentucky, 1996)

Reviews By Bill Weinberg

Among the profusion of new titles on the militia movement which have been released since the cataclysmic April 19, 1995 bombing of the Oklahoma City federal building, many--including some recently reviewed in the pages of *The Nation*--build the case for a government crackdown and new anti-paramilitary legislation. These titles are directed at the already-convinced: progressive, mostly urban types who view the militias as a threat --manifestly, as more of a threat than the federal police apparatus.

In contrast, Richard Abanes in *American Militias* is writing for the militia movement's potential cannon fodder--conservative, mostly rural folks who are (not without reason) deeply mistrustful of the government. Abanes painstakingly dissects and deconstructs the myths and assumptions that the militias and underlying "patriot" movement are built on. Clearly, his aim is to dissuade or rescue those who might otherwise be taken in--a sorely needed service overlooked by those who write for what is perceived across much of America as the "liberal elite".

It is unfortunate, if hardly surprising, that Abanes is himself writing from the Christian right. While struggling to maintain an "objective" demeanor, he betrays his hand in numerous ways.

The first problem is the inconsequential foreword by Roy Innis, the former civil rights leader long since discredited among progressives by his apologias for Ronald Reagan and Lyndon LaRouche. The author's own text also gets him into trouble. While tracing the links between militias and the anti-abortion terrorist underground, Abanes is careful to draw a distinction from legitimate activists working to save "the lives of unborn children." Abanes refers to Dean Compton of Northern California's National Alliance of Christian Militia as a "non-racist patriot" because he concedes that the New World Order (NWO) architects are "the rich men of the earth" rather than "the Jews." Perhaps the writer is unaware that this "non-racist" issued a call last year for his militia network to shut down the Mexican border to the immigrant hordes. In attempting to repudiate the militias' anti-government propaganda, Abanes invokes Peter's injunction to "submit yourselves for the Lord's sake to every authority instituted among men." While Abanes' goals appear honest, he loans his adversaries credibility by buying into their terminology and definitions.

American Militias is nonetheless an informative primer. Abanes provides concise, competent accounts of the patriot movement's origins and rise. The circumstances of the Randy Weaver stand-off at Idaho's Ruby Ridge in the summer of '92 and the Waco disaster on April 19, 1993 are outlined, followed by the seizure of the Second Amendment as a tool by conspiracy-prone extremists to organize the rural white mainstream into a paramilitary movement. The basics of the NWO conspiracy for a UN military take-over of America are laid bare, and the roots of the theory traced to such obscure sources as the Christian Identity cults, which hold that non-whites are subhuman and Jews the offspring of Satan. He follows the lineage back to Henry Ford, the Protocols of the Elders of Zion and the grand-daddy of conspiracy theory, 18th-century Jesuit Abbe Barruel, who blamed the French Revolution on the medieval Order of Templars. While careful to distance "true Christianity" from racism, Abanes calls out fundamentalists like Pat Robertson for spouting the NWO theory. His basic case is a vital one: Lurking behind New World Order paranoia of new militias, the anti-UN xenophobia, is the Jew World Order and Zionist Occupation Government (ZOG) and naked racism of the more honest but less media-savvy Klan and Nazi right.

What too many observers fail to grasp (and Abanes fails to mention) is that with Ruby Ridge and Waco, white rural America got a taste of the kind of treatment black urban America has been receiving for generations. The 1985 MOVE incident in Philadelphia, in which black children were burned alive under police fire, preceded Waco but failed to provoke the same kind of reaction. The federal crackdown on white separatists like Randy Weaver was preceded by a reign of police terror against the Black Panthers and American Indian Movement but twenty years earlier. In the '30s Dustbowl, the Communist Party organized armed defense of white and black farmers faced with foreclosure; in the farm crisis of the '80s, white farmers were urged to armed resistance by the Identity-linked Posse Comitatus, whose local-rule do-it-yourself interpretations of English Common Law now infuse the patriot and militia movements.

Now rural and urban, white and black, "dumb rednecks" and "whining minorities" are being pitted against each other while the powers that really run the country exploit both to push their own agendas. The fears of urban progressives are exploited to push through "anti-terrorist" legislation which expands FBI powers and (ironically) curtails immigrants' rights. The fears of the rednecks are exploited to accelerate the contraction of federal regulatory power over the resource-rich lands of the West through right-wing localist notions of County Rule.

While not explicitly calling for a government crackdown, Abanes shares the view that the militias and their ilk are ultimately a fringe phenomenon, that "clearer heads will prevail." Like his liberal counterparts, Abanes does not want to square with how, in the sixteen years since the dawn of the Reagan revolution, the radical right has become the mainstream across large sections of America--and how the militia movement paradoxically interlocks with certain sectors of federal power.

Regarding the militia belief in the establishment of American concentration camps and martial law plans overseen by the Federal Emergency Management (FEMA), Abanes reassures us that the feds merely have "contingency plans for rounding up people in times of civil unrest." Hardly comforting. FEMA, in league with Lt. Col. Oliver North, did indeed draw up draconian martial law plans in preparation for a US invasion of Central America in the 1980s. These were outlined in the Miami Herald during the 1987 Contragate hearings. The original plan targeted Central American refugees and the solidarity movement--and called for FEMA "deputizing" of right-wing paramilitary groups in the newly-created State Defense Forces (see Ed Connolly, "A Highly Irregular Force: Scandals of the State Militias," *The Nation*, March 18, 1991). State Defense Forces participated in FEMA's 1984 martial law dry-run, REX 84 ALPHA, a "readiness exercise" mandated by a Reagan Presidential Order, marching in the desert to intercept imaginary refugees. Now, the new militias (whose ideological leadership may be privy to the existence of the martial law plans precisely through inside connections) believe that they and their white heartland constituency will be the targets.

As evidence of militia paranoia, Abanes reprints a map from the patriot potboiler *Black Helicopters Over America: Strikeforce for the New World Order* by Jim Keith, which purports to show the location of ten FEMA concentration camps. However, the points on the map correspond precisely to the ten military bases which lefty attorney Dan Sheehan asserted in an affidavit had been designated FEMA detainment centers under the martial law plan. The affidavit was submitted in the bungled Christic Institute lawsuit against Oliver North and the CIA over the 1984 La Penca bombing in Nicaragua. Sheehan and Christic discredited themselves by turning the suit into a quest for the Grand Unified Conspiracy Theory--even turning to radical right sources. But Sheehan's undisclosed "source" on the FEMA plan may have known something. One designated base, Florida's Camp Krome, was indeed used to hold thousands of Haitian refugees in the 1980s.

Numerous unseemly groups were linked to the State Defense Forces (SDFs), created across the US by state legislators at federal behest in the '80s. Among them was the Aryan Nations, which calls for a racially pure secessionist white homeland in the Northwest Rockies, follows the Christian Identity cult and has a violent underground arm called The Order which has carried out a string of bank heists across the West. In 1987, the Utah State Guard (the state's SDF) was purged following revelations that members had diverted arms to the Aryan Nations and that State Guardsmen had trained at the groups' compound at Hayden Lake, Idaho. The Aryan Nations was also instrumental in rise of the militias--a link between the old radical right of the Ku Klux Klan and the updated radical right of the militias.

Continued On Next Page

ANARCHIST FARM

by Jane Doe

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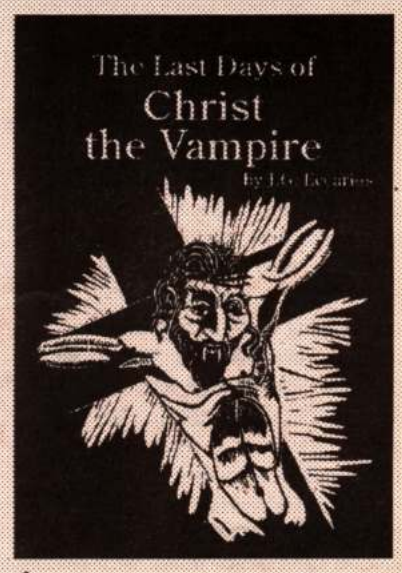

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REVIEWS

Continued From Previous Page

Thus far they have proved far less violent, but the militias are now capturing the mainstream of white America in a way which no radical right movement has since the Klan of the 1920s. Patsy Sims' classic 1978 study of the revitalized Invisible Empire, *The Klan*, has been reissued at an all too appropriate historical juncture.

Each chapter in Sims' tour across the South interviewing and investigating top Klansmen is briefly updated in this second edition. A new introduction looks back at the Klan's relative eclipse by successor organizations since 1978. If Sims fails to sufficiently point it out, there are obvious echoes of today's new militias in the 1960s and '70s Klan rhetoric that she laboriously recreated verbatim (complete with phonetic renderings of southern drawls). Minus the vicious nigger-hating, Jew-baiting venom, much of this Klan verbiage could be issuing from the mouths of today's militia leaders. West Virginia Invisible Empire Grand Dragon Dale Reusch in 1976: "Take your battle stations. Man your guns. An' you better man your guns, because they're comin' to get your guns! That's people control! Without guns the government controls the people! With guns, you control the government!" Mississippi White Knights alleged Imperial Wizard Sam Bowers in 1964: "A decree from the Communist authorities in charge of the federal government...will declare the state of *Mississippi to be in a state of open* revolt...martial law, followed by a massive occupation of the state by federal troops, with all known patriotic whites placed under military arrest... Our first contact with the troops of the enemy in the streets should be as legally-deputized law enforcement officers." Maryland Klansman Bill Aitcheson (later to plead guilty on charges of sending a threatening letter to Coretta King) in 1977: "We're going to have a little Bolshevik America unless we keep our powder dry, clean our weapons and get out into the streets."

Especially enlightening from today's perspective is Sims' chapter on David Duke, then National Director (his own bureaucratic rendering of "Imperial Wizard") of the Knights of the Ku Klux Klan. Even at the time of her writing, the handsome "image-maker" had already put away his robes for corduroys and been so successful in capturing the mainstream that he aroused the enmity of rival Klans in the faction-ridden movement. This would prompt him in 1981 to drop the Klan name altogether for the National Association for the Advancement of White People--a successor to his earlier 1960s organization, the National Socialist White People's Party, which, in turn, was conceived as successor to George Lincoln Rockwell's American Nazi Party. Sims' quotes from the Louisiana Klan's golden boy indicate his future course in the 1980s and '90s as a Republican state legislator and gubernatorial candidate with presidential aspirations. Even in 1976, his sense was palpable that with a little image-doctoring, racists could capture the political mainstream. "We are the Klan with sex appeal!" Duke told Sims. "I think if I wanted to be a traditional politician, I could do it. I think I could be governor of this state. I really do. Because if I wanted to play the game, I think I could be very successful."

Among the men making cameo appearances in Sims' *The Klan* are Louis Beam, Duke's Texas Klan chieftain who would go on to become the Aryan Nations' "Ambassador at Large," and Robert Miles, the United Klans of America Grand Dragon for Michigan who was convicted in a 1971 school bus bombing. While Sims fails to note it, both these men were charged in a 1988 federal conspiracy case to "overthrow the US government by force." Federal prosecutors maintained the plot--which included counterfeiting, armed robberies, and planned assassinations--was to begin with the detonation of a truck bomb at the Oklahoma City federal building.

Also among the ten defendants were Aryan Nations patriarch Richard Butler and Richard Snell, a man already on death row in Arkansas for the murders of a black state trooper and a Texarkana pawnbroker he apparently thought was Jewish. These men--who were all acquitted--are the very ones who passed the torch from the Klan/Aryan right to the militias.

Idaho white separatist homesteader Randy Weaver was an occasional visitor at the Hayden Lake Aryan Nations HQ. The 1992 FBI siege of Weaver's family began with his failure to answer a summons on charges of selling a sawed-off shotgun to an undercover agent and ended with his wife, son and an FBI man dead. During the siege, Louis Beam founded the group United Citizens for Justice to support the Weavers. Beam's co-founder was John Trochman, another occasional visitor at Hayden Lake. Trochman would shortly become elder statesman of the Militia of Montana (MOM)--a group at the vanguard of the militia movement, running a national mail-order clearing house for militia propaganda and how-to videos.

In the wake of the Weaver affair, in October 1992, a Rocky Mountain Rendezvous hosted by a Colorado Christian Identity preacher brought together national radical right leaders to forge a new strategy. It was there that Beam presented a paper calling for "Leaderless Resistance"--small, autonomous cells united by ideology but acting independently. This became the model for the militias--and perhaps for Timothy McVeigh and his co-conspirators in the Oklahoma City blast.

The March 1995 edition of the MOM newsletter *Taking Aim* issued a call to arms for April 19--the second anniversary of the Waco massacre and the date of Richard Snell's scheduled execution. Snell (who Richard Abanes erroneously moves from Arkansas to North Carolina) was executed on the same morning as the blast. His last words were a warning to Arkansas Governor Guy Tucker: "Look over your shoulder, justice is on the way..."

Sims also explores possible collusion between the Klan and the federal government that was ostensibly infiltrating and cracking down on it. David Duke and his father both worked for the US government in Indochina. Sims suggests that Duke's elite connections "could explain how he managed to slip past London customs in March 1978 after the British government had banned entry by him and other Klan leaders and then played hide-and-seek with Scotland Yard..."

Duke's second-in-command in the Knights of the Ku Klux Klan was Don Black, who in 1970 was shot in the behind by Jerry Ray, brother of James Earl Ray, the convicted assassin of Martin Luther King Jr. Black and Ray were both then working on the Georgia gubernatorial bid of Jesse B. Stoner in a Klan political arm, the National States Rights Party. Stoner would later be convicted in the 1958 bombing of a black Birmingham Baptist church. In 1978, the House Assassinations Committee explored Stoner's allegations that an FBI informant offered him $25,000 to kill King. Jerry Ray would be the last person to visit James Earl Ray before his 1977 jailbreak from a Tennessee federal prison--which prison officials called an inside job.

The strange and divided loyalties of police infiltrators in the Klan is exemplified in the case of FBI informant Gary Thomas Rowe. His tell-all book *My Undercover Years with the Ku Klux Klan* detailed such instances as the Birmingham police giving Klansmen a fifteen-minute grace period to rough up Freedom Riders. While still undercover, he was arrested for participation in the sniper slaying of Viola Liuzzo, a Detroit civil rights volunteer working on the 1965 Alabama Freedom March.

Sims informs us that the Klan virtually disappeared from North Carolina for several years following 1958, when a Klan march in Maxton was routed by "armed and whooping Lumbee Indians." Back in the '20s, when even Harry Truman joined the Klan to get its support in a Missouri judgeship race, there were similar instances of the Invisible Empire being beaten back through local militancy rather than government crackdown. As related in David Chalmer's 1965 *Hooded Americanism: The First Century of the Ku Klux Klan*, in Oklahoma the Klan so thoroughly intermeshed with law enforcement that even the governor's declaration of martial law in 1923 following the torching of Tulsa's black district failed to break the organization. It was only after trade unionists joined with local blacks to organize self-defense, and to forcefully challenge and repudiate the Klan at every public appearance, that the Invisible Empire's grip on the state was broken.

Today, in contrast, with the radical left largely purged from America's political map, the lines are increasingly drawn between the xenophobe patriot populists and liberals newly cast in the role of law-enforcement boosters. Rural whites left behind by NAFTA are given martyrs like the noxious Richard Snell while they remain ignorant or indifferent in the case of Mumia Abu Jamal. And the expanded federal "anti-terrorist" powers will ultimately be used more effectively against remnants of resistance on the left and the environmental movement, if American history continues in its accustomed pattern.

Kind of makes one nostalgic for armed and whooping Lumbee Indians.

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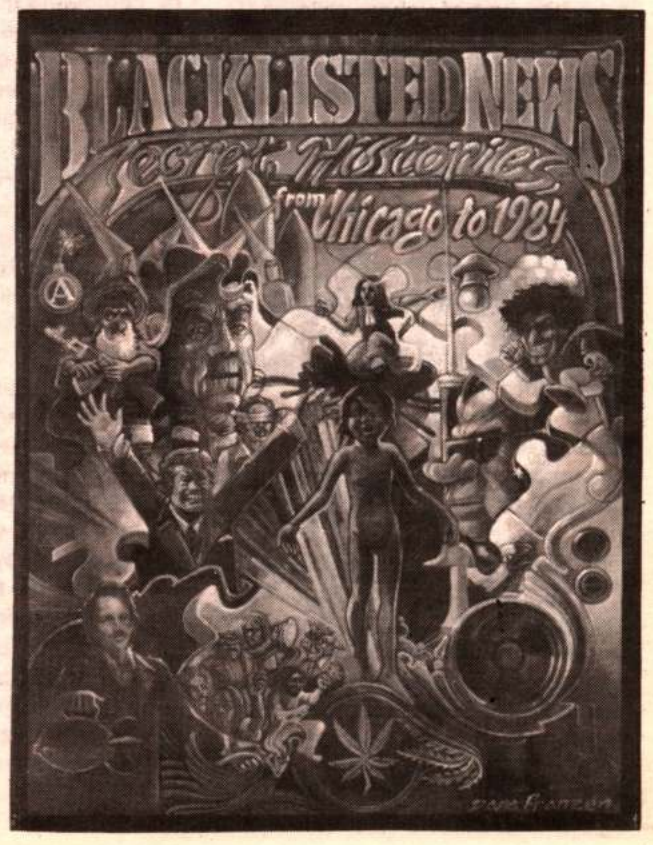

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THE INTERNET: PRIVATIZATION OF THE PUBLIC DOMAIN (AND WHAT YOU CAN DO ABOUT IT)

By Chris Flash

The internet naming system, known as the "domain name system," operated by the Internet Network Information Center (InterNIC) under the guardianship of the National Science Foundation (NSF), a government organization funded with tax dollars, has been privatized. InterNIC, the name registry part of the internet, is now run by Network Solutions, Inc. (NSI), which now enjoys a highly profitable monopoly.

InterNIC, administered by NSF, began name service on the internet for free. In 1993, InterNIC was privatized with a contract between NSF and NSI, awarding the domain registration service of the internet to NSI. In March of 1995, NSI was bought by the Scientific Applications International Corporation (SAIC). In September 1995, NSI began charging a $100 fee for name registration. Thus, InterNIC was transfered from the public sector (NSF) to the private sector (SAIC), with no public hearings or a competitive bidding process.

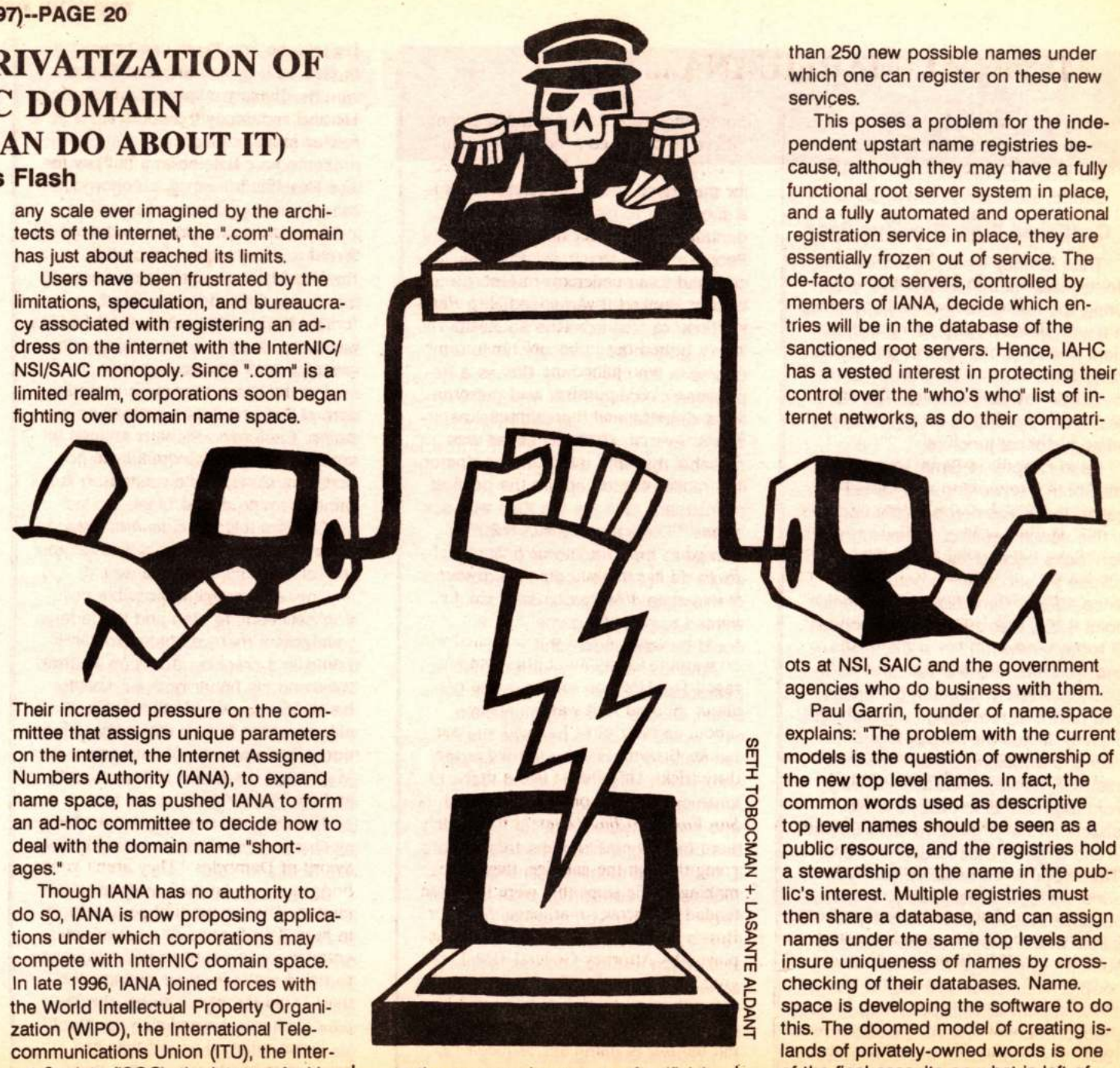
SAIC, a multi-billion dollar company, has strong ties to the Pentagon, Central Intelligence Agency (CIA) and National Security Agency (NSA). SAIC is a 20,000 employee-owned company with about 450 offices around the globe. Its current board of directors includes former NSA chief Bobby Inman, former Defense Secretary Melvin Laird, and the former head of research and development for the Pentagon, Donald Hicks. Ex-CIA director Robert Gates, Secretary of Defense William Perry and CIA Director John Deutsch have been past SAIC board members. Eighty three percent of SAIC's $2 billion annual revenue comes from government contracts, including defense, intelligence, and law enforcement contracts. SAIC is designing new information systems for the Pentagon, helping to automate the FBI's computerized fingerprint identification system, and last year won a $200 million contract to provide "information support" to the IRS.

SAIC also has the public data base listing of internet registration names. Since the SAIC take over of NSI, internet name registrations have been delayed due to investigations of those registering.

When NSI began charging for the once free name registrations, the internet was on its way to the transition to a commercial marketplace. The registration fee of $100 for the first two years of service has richly lined NSI's coffers as the number of registrations reached around 50,000 per month during 1996 alone. During this interval, the limitations of the current naming paradigm became obvious as companies discovered that they had to race, or in some cases litigate, to secure their internet identities ("*their name*".com) -- only to discover that those names had already been assigned.

Part of the problem lies not just in human greed, but in the limited number of the so-called "top level domains" administered by InterNIC. They are ".com" ".edu" ".org" ".net" ".mil" and ".gov." This system, which has its roots in the Department of Defense, was designed to identify the purpose of computers on the internet. The ".com" domain was the division given to commercial network addresses, who, at the time the system was established, were a minority of networks on the internet. Now that the number of commercial networks has grown beyond any scale ever imagined by the architects of the internet, the ".com" domain has just about reached its limits.

Users have been frustrated by the limitations, speculation, and bureaucracy associated with registering an address on the internet with the InterNIC/NSI/SAIC monopoly. Since ".com" is a limited realm, corporations soon began fighting over domain name space.



SETH TOBOCMAN + LASANTE ALDANT

Their increased pressure on the committee that assigns unique parameters on the internet, the Internet Assigned Numbers Authority (IANA), to expand name space, has pushed IANA to form an ad-hoc committee to decide how to deal with the domain name "shortages."

Though IANA has no authority to do so, IANA is now proposing applications under which corporations may compete with InterNIC domain space. In late 1996, IANA joined forces with the World Intellectual Property Organization (WIPO), the International Telecommunications Union (ITU), the Internet Society (ISOC), the Internet Architecture Board (IAB), the Federal Networking Council (FNC), the International Trademark Association (ITA) and the Internet Engineering Task Force (IETF), to form the International Ad Hoc Committee (IAHC).

After their conference in San José, California in December, IAHC put forth a controversial plan to license would-be registries who wish to compete in the market for domain name service: a $20,000 non-refundable application fee, a percentage of the companies' revenues, and a requirement that potential registries submit to full examination of their books by an "independent" auditor.

IAHC claims that these funds will be spent on maintaining the root servers (the computers which hold the internet's central name database.) The computers holding the domain name database are currently run by an inner circle, most of whom are members of IANA. Two examples are the root server at the University of Southern California (USC) run by John Postel, the head of IANA, and the root server residing at the army base at the Aberdeen Proving Grounds (the source of complaints by female recruits of sexual abuse by drill instructors.)

IAHC's plan, which has no legal authority or congressional mandate, seeks to impose regulations on a deregulated market, subsidizing corporations and collecting double taxes on American and international companies. More than half of the existing root nameserver computers are already supported by US tax dollars, not to mention the for-profit companies who run the other computers serving the balance of root servers.

In essence, the feds are allowed to have a database and then have the audacity to charge the public for the priviledge under the pretext of free enterprise.

Enter the free market. In response to the command economy of artificial shortages that have been imposed by a militaristic bureaucracy, a few enterprising independents have created new networks of root servers outside the "sanctioned" servers on which all connections to the internet depend. One such independent server is "name.space."

Name.space, Inc. is creating unlimited names on demand for its users. You can create just about any domain name you want for yourself in name.space: "shadow.press," "fuck.you," or "anything.anything."

Commercial registrations in name.space are currently free, but will be eventually charged at $25 per year per name once name.space names are resolvable on the entire internet, which will happen in a few months. By comparison, InterNIC/NSI charges $100 for the first two years with a $50 annual renewal charge.

Name.space also gives users the option of protecting their individual privacy with unpublished listings. InterNIC/NSI forces mandatory publication in their publicly-available "whois" database, and your personal information is in the hands of SAIC and various intelligence agencies.

You can register your name with Name.Space in the "free.zone" accessible through the name.space web site at: *http://namespace.autono.net.* Importantly, instructions on how to change your computer settings to allow you access and recognition throughout the internet will appear on your screen.

Currently, if you go with an independent root server and your name does not appear in the sanctioned database of InterNIC's established root servers, your name will not be found everywhere on the internet. Only other computers who check the new expanded database will be able to resolve the new domain names created by the independents. There are already more than 250 new possible names under which one can register on these new services.

This poses a problem for the independent upstart name registries because, although they may have a fully functional root server system in place, and a fully automated and operational registration service in place, they are essentially frozen out of service. The de-facto root servers, controlled by members of IANA, decide which entries will be in the database of the sanctioned root servers. Hence, IAHC has a vested interest in protecting their control over the "who's who" list of internet networks, as do their compatriots at NSI, SAIC and the government agencies who do business with them.

Paul Garrin, founder of name.space explains: "The problem with the current models is the question of ownership of the new top level names. In fact, the common words used as descriptive top level names should be seen as a public resource, and the registries hold a stewardship on the name in the public's interest. Multiple registries must then share a database, and can assign names under the same top levels and insure uniqueness of names by cross-checking of their databases. Name.space is developing the software to do this. The doomed model of creating islands of privately-owned words is one of the final assaults on what is left of the public domain.

"*Trademark holders of certain* words only own such words in their descriptive contexts, as in 'Apple Computer'. Apple doesn't own the word 'apple,' it owns the only 'Apple Computer.' Otherwise, every time one would use the word 'apple' in print or otherwise, they could face potential trademark infringement. This is to the point of absurdity. The issue of intellectual property is pushing the envelope of what I call the privatization of the public domain. When factual data or statistics become the property of some media conglomerate who invested money to package the information, does this lead to the total commodification of knowledge? When the facts in an encyclopaedia become the property of Time Warner, do we win or do we lose? When does culture and history become private property? And when this happens, when our society reaches the total control over information by the informations corporations, will they take our language, too?"

In name.space, the public can suggest a new rootname, which is created for free and made available publicly for anyone to register under. This is a collaborative process, and its popularity is proven by the fact that public requests outnumber the amount of private requests by 20 to 1. That seems to say something about the preferences of the users, and their acceptance of the words as a public resource.

To Garrin, this is more than just about business. He says, "Name.space is delivering the net back to the users, and creating an economy of scale where registries, providers and users can benefit from low cost and value-added services on their networks." He adds, "We're shifting the naming paradigm from militarism to democracy, and fulfilling the ideal nature of the internet, which is a virtual space with no borders."

MEDICAL MARIJUANA....

new city administration was even less likely to go along. Mayor Brown had supported Peron's legalization efforts as a state assemblyman and sparred several times with Corrales in drug cases as a private attorney. The new Police Chief, Fred Lau, was kept in the dark about the investigation. In May, the federal government likewise declined to prosecute. But Dan Lungren and the state Bureau of Narcotics Enforcement took the bait.

Peron says he was meanwhile trying to mend fences with Corrales. "I'm a Catholic Buddhist. I forgive people. I wanted to put the past behind us." On January 29, 1996, Peron sent a letter to Corrales at the Narcotics Division: "There is irony in the fact that our own lives have run parallel for so long. From the bunkers of Vietnam to the streets of S.F. we both felt strongly about what we were doing. Now you are the Chief of Narcotics and I am the Director of the medical marijuana legalization movement: two posts that on the surface seem to be at odds. But do they have to be? Can you and I put the past behind us to work together for a better future that is less violent and more loving? History is watching us, to see how we work out our differences to help the city and country we love. I offer you my hand--can we work together?" Peron never received a response.

In June, a Club courier was confronted by gunmen as he unloaded a stash from his car. Fifty pounds and the car were lost. "I think it was narcs," says Peron. In July, a gun that Peron believes was planted by police agents was found at the Club. "We found a pistol with 13 bullets in a backpack behind a couch some ten days before the bust. *We dismantled it and threw it away.*" Five nights before the bust, a bullet was shot through the window of the lower unit at Dennis' Castro district house.

Finally, 100 state Bureau of Narcotics Enforcement (BNE) agents were brought in for the raid--from LA, San Diego, Bakersfield, "the toughest of the tough," says Peron. At eight o'clock on a Sunday morning they burst into 1444 Market, carrying automatics and decked out in body armor and rubber gloves. Client records, computers, $60,000 in cash, 150 pounds of marijuana, 400 plants and a small quantity of psychedelic mushrooms were seized and carted away in two big rental vans. Peron says he has no idea what the 'shrooms were doing there. Peron was in Vancouver at a gay pride parade the day of the bust.

At Peron's place, CBC medical advisor Vic Hernandez was rousted nude from his bed at gunpoint, handcuffed and interrogated. Hernandez says that when he asked to see a warrant, one officer said, "What are you, an attorney?" They also asked questions about Peron's sex life and made homophobic comments like, "This house needs a woman's touch." The agents also searched the home of Peron's downstairs neighbors, who are not involved in CBC.

In simultaneous raids, four other houses in San Francisco, Oakland and San Mateo were also hit by state agents. CBC director Beth Moore was handcuffed, held at gunpoint and interrogated for over two hours as ten agents ransacked her home in San Francisco's West Portal district.

In all, ten computers were confiscated from people involved in the CBC. At one site, police seized a Chinese maple they thought was marijuana. The next day Lungren filed suit--in a courtroom filled with CBC advocates--and won an injunction to stop the CBC from operating from Superior Court Judge William Cahill. He also held a press conference with BNE Chief Joe Doane where he displayed a videotape of an unnamed 15-year-old boy who claimed he purchased at the club. Peron calls it a fabrication.

Immediately after the bust, CBS news aired a video clip of Peron selling a pound to an undercover agent. Dennis says he thought it was for AIDS patients on Sonoma County's Russian River. The buyer turned out to be BNE man James Kerrigan, who joined the club purporting to be HIV-positive, made several big purchases, and then approached Dennis--wired for sound. Peron took the bait. Kerrigan put the following tape transcription in his affidavit:

Peron: "What do you need, dude?"
Kerrigan: "Mexican, as much as I can."
Peron: "I can sell you a pound, is that what you want? I can sell it to you for nine."

The August 4 raid was launched with no warning to city authorities. An outraged DA Hallinan said he found out about the raid as it was underway--"about an hour after Lau and an hour before Brown." He also scoffed at the dirty tricks. "It's almost like a defense attorney's dream come true," he told the *San Francisco Bay Times*. "I mean, they were forging prescriptions, they were going through the garbage, they were making traffic stops that were in fact intended to discover marijuana..." Mayor Brown blasted the "Gestapo tactics displayed by Attorney General Dan Lungren." A *Chronicle* editorial opined: "It is a pity that Lungren cannot mind his own business and let San Francisco handle the use of marijuana as medicine."

Hallinan's man Millstein raised the specter of a Lungren-inspired mutiny in the Police Department. He told a news conference the day after the bust: "If any law enforcement officer were involved without the knowledge of the Chief of Police or the Mayor, I think that's something that could be very serious."

Chief Lau told the press the investigation was started by former Police Chief Anthony Ribera, and that he had not interfered. Openly gay undercover SFPD Officer Joe Bannon was officially the Department's man on the case. His presence allowed Lungren and Telliano to cite SFPD involvement--despite the Department's hands-off stance. But Bannon's own boss, Chief Lau, wasn"t even informed of the raid until seven o'clock--and initial reports said the SFPD"s only involvement was traffic control. The politically correct Bannon was also a more acceptable choice than the gung-ho Corrales--who denied having anything to do with the investigation. But Corrales appeared alongside state agents at the post-bust press conference on August 4.

The initial press conference also stated that a weapon was found at the Club. This claim was later dropped. Peron believes this was a reference to the gun he found and discarded. "They wrote the press release before the bust, then realized the gun wasn't there." Bannon and Corrales were both on leave and unavailable for comment after the bust. There was considerable confusion in the press as to whether Bannon was "on loan" to the state BNE, and who he really answers to. Chief Lau said Bannon "is not really working for us, although he is salaried by us, on the payroll." Lau said he only learned of the loan *after* the bust. He said the news came from Corrales--who justified the secrecy by citing the "confidentiality restrictions" of a state investigation.

Deputy Chief for Investigations John Willett also knew about the CBC probe. He told the *Bay Times* that he was briefed on it by Corrales and Bannon with the January administration change. He also apparently did not deem it fit to clue in his boss Lau.

Peron sees Bannon as a fall guy for Corrales. "He'll never get a blow-job in this town again!" he snorted.

After the bust, Corrales was transferred to run the quiet Ingleside station, the Department's equivalent of exile to Siberia. And Chief Lau ordered an internal SFPD investigation of the Department's protocols on working with other law enforcement agencies.

Lungren's media man Telliano dismissed San Francisco's protests in the press: "California as a state created the counties and the California state government oversees the counties. It is not the other way around."

Corrales told the *Examiner,* "Peron is a drug dealer who hides behind the misery of other people to sell to kids and anyone with enough money."

And Peron, as usual, remained intransigent: "We're going to become the Cannabis Cultivators' Co-op, with grow rooms on the premises and a greenhouse on the roof. Members will be able to buy at cost. If they want to throw me in jail, they'll have to jail the Mayor and the Board of Supervisors and the Police Chief!"

He also dismissed the threat of felony charges that seemed to hang like the Sword of Damocles. "They aren't gonna bring charges. All their evidence is tainted. They committed perjury to get in here. Falsification of medical notes, entrapment to get us to sell marijuana to sick people--we were already *doing* that! I told the narc who bought the pound, 'Start a buyers' club up there!'"

Peron summed up: "If they had proof of selling to a teenager, I'd be busted. They don't have it."

Steve Telliano told the *Bay Times* after the bust, "If this was really an effort to make the initiative look bad, we'd be doing this in October."

They both spoke too soon. In October, as anticipated, the other jack-boot dropped.

Busted!

At ten AM on October 11, state BNE officers rang the doorbell at Peron's house and asked if Dennis was home. He was. "Am I under arrest?" he asked. "OK, let's go."

Peron and five CBC colleagues were charged by an Alameda County grand jury with conspiracy, sale and transport of marijuana and contributing to the delinquency of a minor. Peron was taken to Santa Rita jail to await his hearing. Lungren's Deputy AG Mark Howell asked for $25,000 bail for Peron, but Alameda Judge Ronald Sabraw dismissed the notion that Peron was a flight risk and had him released on his own recognizance. That same night, Peron was toasted by supporters at a benefit bash at 1444 Market Street.

"This is like committing a crime in San Francisco and being charged in Orange County," said an outraged Mayor Brown. "If Dan Lungren tries to get away with this, my guess is that Mr. Peron will not be convicted."

Chief Fred Lau denied prior knowledge of the raid. "They didn't have the guts to charge us in San Francisco," Peron told the *Examiner* from Santa Rita.

Lungren countered that the indictment was brought in Alameda because many of the crimes took place in Oakland. But the *Examiner*'s examination of the indictment found that just one of the 48 cited "overt acts" had its genesis in Oakland--the transporting of about 50 pounds of marijuana by defendant Peter Veilleux from his home to the San Francisco CBC. The rest were all in San Francisco.

Alameda County DA Tom Orloff himself is not cooperating in the prosecution. Orloff is required by Oakland City Council Resolution 72516 "to cease prosecution of persons involved in the medical use of marijuana." In the *Examiner,* Peron accused Lungren of "playing dirty tricks on the electorate." "The timing had nothing to do with 215," Lungren countered in the *Chronicle.*

As a twice-convicted felon, Dennis Peron may face a "three strikes" mandatory life sentence if found guilty on the new charges. "I'm eligible for that great grand life imprisonment for sale of marijuana," Peron boasted. "I put myself on the line to help sick and dying people in the middle of the biggest plague since the Black Death. I think I'm gonna be acquitted. In fact, I think it'll never go to trial."

Aftermath

But on the morning of November 6, the day after the elections, Peron's activist critics and boosters alike were all smiles. Early reports put Prop 215 at a 56% victory.

Only Dan Lungren was fuming. Bypassing his usual media flack-catcher Telliano, he went directly to the press himself. He told the *San Jose Mercury News,* "Its going to cause legal and law enforcement anarchy." He pledged to the *Chronicle* to use "every legal avenue to fight it."

At the election-watch party at 1444 Market, a jubilant Peron was openly toking before a *Chronicle* reporter as the results came in. "I think this is a great moral victory," he said. "This is about who we are as a people and where were going as a nation. Let's hang around, let's get stoned and let's wait for more votes!"

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LATIN DRUG WAR....

guerrillas and narco gangs in Chiapas, Guerrero, Oaxaca, Michoacan, Puebla and Veracruz. Paranoia has escalated with the emergence of a mysterious new rebel group, the Popular Revolutionary Army (EPR).

The EPR dramatically demonstrated its power on the night of August 28 with coordinated attacks on military and police targets in seven states in the Mexican south and center, leaving 12 dead. Since then, numerous skirmishes and human rights abuses have been reported as the army presence is beefed up in the Sierra Madre, with tanks and helicopters scouring the hills and troops occupying villages. Mysterious men in military fatigues with AK-47s attacked an army convoy in Michoacan, killing one soldier.

President Ernesto Zedillo of the long-entrenched Institutional Revolutionary Party (PRI) vows to take a hard line with the EPR, and has boosted military spending and the Army's troop strength by 15% since taking office two years ago. EPR Comandante Jose Arturo says the group financed their arms purchases by "bank expropriations and the kidnapping of big business people," suggesting a hand in the recent wave of such crimes in Mexico.

The EPR is believed to be linked to Clandestine Workers' Revolutionary Party Union of the People (PROCUP), an extremist sectarian-left group best known for a series of bombings against other groups on the left. Now thought by many to be completely infiltrated (if not outright controlled) by government agents, PROCUP is a surviving remnant of the crushed insurgency of rebel schoolteacher Lucio Cabaas, who took up arms in the Guerrero mountains 20 years ago. The Cabaas insurgency briefly kidnapped then-Guerrero Governor Ruben Figueroa in 1974. Last year, his son Ruben Figueroa Alcocer was forced to step down as Guerrero's governor after he was implicated in the massacre of 17 campesino protestors at Aguas Blancas.

At a one-year anniversary commemoration of the massacre in June, masked EPR rebels first emerged from the mountains and announced their existence. The Mexican army is now asking the government to suspend civil rights "in specific zones where the presence of subversive groups is suspected." A recent Pentagon intelligence study of the Mexican situation (procured via the US Freedom of Information Act and reprinted in the Mexican daily *La Jornada*) noted that anti-gringo sentiment in the Mexican army would make US military intervention "improbable," but also stated: "It is conceivable that an eventual deployment of US troops in Mexico might be received favorably if Mexico's government is confronted the threat of being overthrown as the result of widespread economic and social chaos." A third following paragraph was censored.

Ironically, just as Mexico is for the first time sending troops to be trained at the Pentagon's School of the Americas (SOA) at Ft. Benning, GA, media reports reveal that the SOA instructed foreign troops in torture, assassination and blackmail in the 1980s. "Counterintelligence" (CI) manuals used at the SOA between 1982 and 1991 were released by the Pentagon following a long activist campaign. With names like *Handling Sources* and *Terrorism and the Urban Guerilla*, the manuals instructed in such tactics as imprisonment and beating of "sources" and arrest of their families. One passage reads: "Another function of CI agents is recommending CI targets for neutralizing. The CI targets can include personalities, installations, organizations, documents and materials." Examples of "personality targets" are "governmental officials, political leaders and members of the infrastructure." "Neutralizing" is an intelligence euphemism for assassination.

Among the masterminds of torture trained at the SOA in the 1980s are the late Salvadoran death-squad boss Roberto D'Aubisson, Guatemalan secret police honcho Col. Julio Roberto Alpirez, deposed Haitian outlaw despot Col. Michel Francois and imprisoned Panamanian narco-dictator Manuel Noriega. The Mexican army has already demonstrated a penchant for such techniques. Four of the eight men yet arrested by Mexican authorities as EPR members have recanted their confessions, stating they were extracted through torture, including suffocation with plastic bags and electro-shock to the testicles.

The mysterious EPR poses itself as more radical than the EZLN. EPR Comandante Jose Arturo openly said at a press conference at a clandestine location, "We seek power. We won't carry on a dialogue with the murderous government." The EZLN's Subcomandante Marcos addressed the EPR in a communique. While expressing "respect" for the EPR's military "forcefulness," he stated: "You fight to take power. We fight for democracy, freedom and justice. It's not the same thing. Even if you are successful and win power, we will go on fighting for democracy, freedom and justice." However, he also decried the government's "game that promotes confrontation between the 'good' guerillas and 'bad' guerillas." Its getting hard enough to tell the "good" cops from the "bad" cops.

The NAFTA boom town Tijuana, where PRI presidential candidate Luis Donaldo Colosio was assassinated in 1994, is home to Mexico's top cartel, and has co-opted much of the local police. The Tijuana cartel's battle for supremacy with the rival Juarez cartel is playing itself out in a string of gangland murders of anti-drug officers across Mexico. The once-hegemonic Gulf cartel has largely collapsed since the arrest of kingpin Juan Garcia Abrego--who was turned over to the FBI to face trial in the US. Attorney General Antonio Lozano Garcia's much-touted campaign to clean up the notoriously corrupt federal Judicial Police has led to the firing of over 700 officers. But drug-related violence and intrigue in Mexican officialdom has not slowed. Saul Tapia Contreras, chief of staff to the Governor of Jalisco--home to Guadalajara, Mexico's second city--was forced to step down after he was accused of being a key figure in the Juarez cartel by an arrested trafficker.

At US insistence, the army is increasingly taking over the anti-drug effort, especially in the mountains of the Mexican south where peasants are organizing against the government. In contrast to the secretive EPR, the EZLN continues to hash out positions and strategy in an open democratic process, especially as they attempt to build a civilian movement. In August, the EZLN hosted an International Encuentro in their jungle territory, attended by supporters from around the world. Along with pledges to build cross-border resistance to the Free Trade order, the Zapatista Encuentro issued a call to end the Drug War and "legalize the consumption of soft drugs." The Zapatista statement said the Drug War "has converted narcotrafficking into one of the most successful clandestine means of obtaining extraordinary profits" and called for "channelling the resources destined for combatting narcotrafficking into programs of development and social welfare."

So far, Mexican agents have not yet attempted to shut down the Zapatistas' Texas-based Web page (http://www.utexas.edu/ftp.student/nave).

(Thanks to: Weekly News Update on the Americas, Nicaragua Solidarity Network of Greater New York)

CONTRAS....

members of the Democratic party, as well as Republicans.

In their antidemocratic rush to overthrow Nicaragua's elected governor, a wide range of U.S. policy planners and their "contras" inflicted more than 50,000 casualties in Nicaragua. But in the United States, an entire generation of Americans has been destabilized, major elements of our government were diverted from ethical and legal behavior, and it will probably take the United States longer to recover from echoes of the crack epidemic than for Nicaragua to recover from the contra war. With the CIA-contra-cocaine operation we have, in effect, overthrown legal government and destabilized our own country.

(Robert Knight was a founding producer, along with Dennis Bernstein, of the nationally syndicated Contragate/Undercurrents investigative news program which first reported on the CIA-contra-coke connection in 1986. Knight, now the host of "Earthwatch" on WBAI-FM radio, won the George R. Polk Award for Radio Reporting for his investigative work on Undercurrents. Bernstein is the host-producer of "Flashpoints," a daily public radio news magazine in the San Francisco area. Knight and Bernstein won the Jesse Meriton White Award for International Reporting and the National Federation of Community Broadcasting award for the reporting of the Iran-Contra affair. Articles by the authors have appeared in Newsday, The San Francisco Examiner, The New York Times, The Baltimore Sun, Covert Action Quarterly, The Village Voice, Essence, Spin Magazine, and many other publications.)

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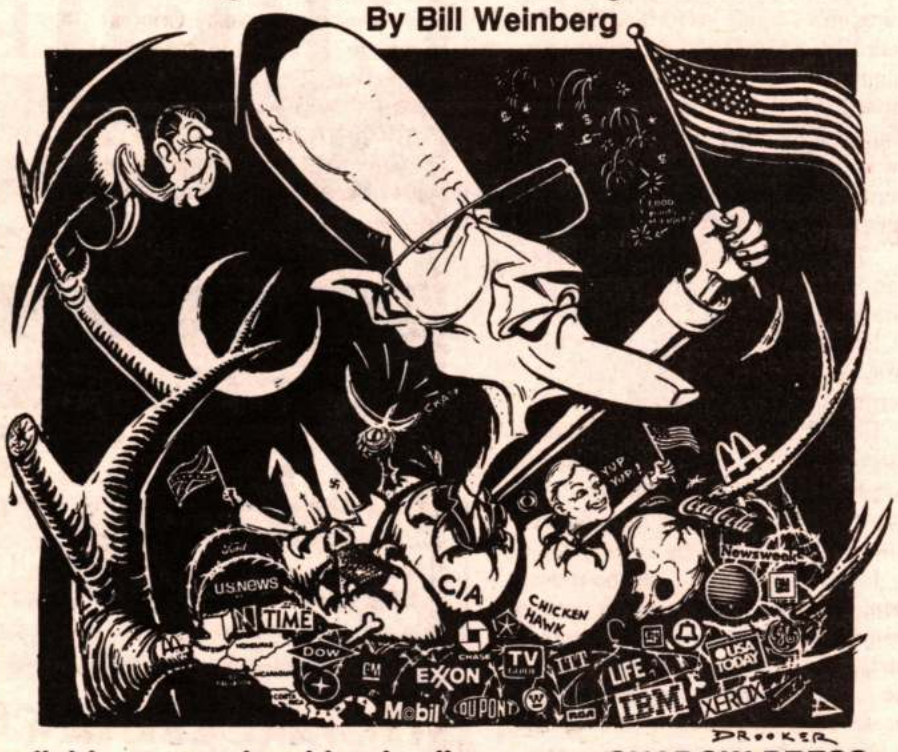

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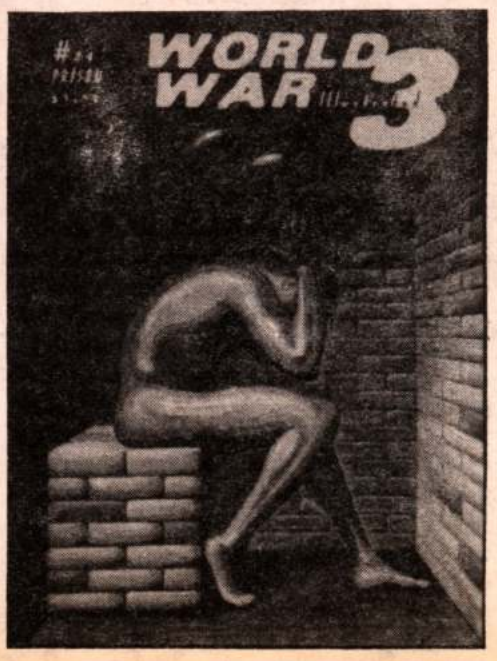

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